# The New-York Times.

VOL. XXIV.......NO. 7298. NEW-YORK, FRIDAY, FEBRUARY 5, 1875.—WITH SUPPLEMENT. PRICE FOUR CENTS.


## THE CIVIL RIGHTS BILL.

*ANOTHER DAY OF EXCITEMENT IN THE HOUSE.*

MR. BROWN, OF KENTUCKY, ABUSES GEN. BUTLER, AND, BY A TWO-THIRDS VOTE, IS TAKEN TO THE BAR OF THE HOUSE BY THE SERGEANT AT ARMS, AND CENSURED —MR. LAMAR LOSES HIS TEMPER AND APOLOGIZES TO JUDGE HOAR—OPINIONS OF DEMOCRATIC SENATORS FROM THE SOUTH ON BROWN'S CONDUCT — THE CIVIL RIGHTS BILL TO BE VOTED ON TO-DAY.

*Special Dispatch to the New-York Times.*

WASHINGTON, Feb. 4.—It has often happened in the House of Representatives that in the heat of debate, when party feeling ran high or personal pride and pretensions clashed, indecent and reprehensible personalities have been indulged in by members; but seldom, if ever before to-day, with a predetermined purpose, and without provocation at the time, has any member on the floor of the House employed language of such character as to transcend the rules of the House and outrage honor and decency. The attack upon Gen. Butler made by John Young Brown to-day bears all the evidence of premeditation, since he began in the House the same sentence yesterday, which was cut off by a failure to get the floor. More than this, after he had finished his remarks, and they had been read to the House as taken down by the reporter, and after nearly an hour's debate, during which time many personal appeals were made to secure a modification of the language, he said that he was willing to stand by the record. The consequence was that Gen. Butler had the opportunity to appear again as a martyr, and on no occasion did he ever succeed better in that rôle than to-day. Brown is a very young man, who was first elected to Congress before he reached the constitutional age of a member. He is a Kentuckian, of wealth, social position, and promising ability, and has been petted by an admiring constituency, all of which has produced the usual fruits of egotism and wrong-headedness. His lack of discretion and self-control has caused the Democratic side of the House much uneasiness on various occasions. To-day they were in great trouble on account of the situation in which he placed them, but, as Beck said to some of his colleagues, what could they do? They must stand by him as far as possible. Mr. Lamar, who was brought forward as his chief defender, did not attempt to extenuate the offense, except by quoting precedents to show that very bad language had been used in the House before. But the premeditation in this instance rendered the case so different from any of those which the Democrats quoted, that it left the House but one duty, which the Democrats opposed by their votes, though privately they acknowledged its justice. Gen. Butler was part of the time in his seat and part of the time in one of the cloak-rooms. During the last of the debate he went over to the vicinity of Brown's seat and entered into conversation with the Democratic members. When the debate was closed, under the permission of the House to make a personal statement, he challenged anybody to assert that he ever began a personal attack on anybody in the House, and then ended with an exhibition of bravado, saying that when he was attacked he never left a man alone till he had got enough of it. While the debate was in progress it was noticed that all the Democratic candidates for the Speakership of the next House went over to condole with Brown, and to suggest by their actions, if not by words, that he would have opportunities to indulge his spite when they had succeeded to Mr. Blaine's position. Mr. Wood had a better right than the others to express his sympathy, for the scene undoubtedly brought vividly to mind the time when he also had been called before the Speaker's desk to receive the censure of the House.

THE OFFENSIVE REMARKS.

In opening his remarks, Mr. Brown characterized the Civil Rights bill as a measure that was born in malignity, and, if passed, will result in violence and bloodshed. For this language Mr. Hale, of New-York, called him to order, and demanded that the words objected to be written down and read by the Clerk, which was done. The Speaker decided that the language used did not violate the rules of parliamentary debate. Brown continued, and drew a picture of Burke, the notorious Scottish criminal who murdered men to promote his unholy traffic in the dead bodies. Before he had finished the highly-wrought picture, which had evidently been prepared and studied with great care, and was so pointed as to attract the attention of the Speaker, the latter interrupted Brown, and inquired whether he intended his remarks to refer to any member of the House, to which he replied "I call no names." The Speaker again propounded the inquiry, when Mr. Brown answered: "No, Sir, they refer to a man I have in my mind." He then proceeded to finish his sentence, which he did in this language: "If I were called upon to describe that which is pusillanimous in war, inhuman in peace, forbidden in morals, and infamous in politics, I would call it Butlerizing." This sentence was delivered with great vehemence, and in a voice and with gestures which made it terribly emphatic. It threw the House into a fever of excitement, and brought the members to their feet with as much suddenness as if a bomb had exploded over their heads. The Speaker, with a degree of feeling he could not conceal, informed Brown that he had acted in bad faith, and had answered him evasively. Brown replied that the Speaker had no right to anticipate what he intended to say, and several voices on the Democratic side echoed that sentiment. There was great commotion at this time, many calling for the offensive words to be taken down, others making remarks which could not be understood in the gallery. The Speaker directed the reporters to write out Brown's words, and they were read by the Clerk amidst silence very unusual in the House. When the offensive words had been read, the Speaker said the language was highly improper and unparliamentary, and exculpated himself for permitting the words to proceed by referring to the evasive answer of Mr. Brown. A resolution of censure was proposed by Mr. Hale, of New-York, for which Mr. Dawes offered a substitute providing that Brown be expelled. The reading of this resolution called forth applause from the Republican members and the galleries. Mr. Dawes made an earnest speech in support of his resolution, referring to scenes in the House before the war. The resolution of censure would be regarded by Brown as an honorable decoration, and Kentucky would return the wearer. Mr. Cox thought it would be a hardship to commence now to punish men for words spoken in the heat of debate. Mr. Lamar made an appeal for Brown. He did not approve the intemperate language and manner of Brown, but begged the House not to do an arbitrary act which they would ever after regret. All the debates of Congress were marked by pungent personalities. This was necessary in order to have freedom in debate. He referred to the personalities indulged in by Messrs. Butler and Bingham and Donnelly and Washburne in former sessions. Mr. Dawes called upon Mr. Brown to state if he desired to be heard, when that gentleman arose and said: "I stand by the record."

A SIDE ISSUE.

Judge Hoar referred to Mr. Brown's prevarication when questioned by the Speaker, in severe terms, saying that his knowledge of the people of Kentucky led him to believe that if Mr. Brown employed falsehood to finish remarks which could not otherwise have been spoken, the people of that State would drive him from their borders. Mr. Lamar arose, and with some warmth of manner said, "I will say in reply to the gentleman from Massachusetts; but no, upon reflection, I will not say it." This produced applause and laughter on both sides of the house. Mr. Lamar, after referring again to personalities in former Congresses, said in reply to Mr. Hoar, that such language as he used required neither courage nor courtesy to utter, and did not comport with the high character of that gentleman. Mr. Hoar said he did not pronounce judgment on Brown. He said if he did make a false statement he would be condemned by the people of Kentucky. It was for the House to judge whether he had prevaricated. Mr. Lamar immediately arose and retracted what he had said and begged pardon of Mr. Hoar. This was loudly applauded.

THE RESOLUTION OF CENSURE ADOPTED.

After some remarks by Fernando Wood, in which he questioned the power of the House to expel a member for words spoken in debate, Mr. Dawes said he had accomplished the purpose intended in presenting his resolution. He had given Mr. Brown an opportunity to express his regret for his offense, and he had instead reaffirmed and reiterated the violation. The Democrats had sought to excuse the violation of the rules of the House, and would so go on the record. He would rather pass the resolution of censure without their aid than be defeated in the expulsion for the want of their aid, and therefore withdrew his resolution, and moved the previous question on the resolution of censure. The Democrats made as good a fight for Brown as they were able to, by attempting to lay the resolution of censure on the table, and after their failure in this by voting against its adoption. It was, however, agreed upon by a vote of 161 to 79.

THE CENSURE ADMINISTERED.

Brown, who had been considerably subdued by the gravity of the proceedings and by the appeals of his Democratic colleagues, and their private condemnation of his language, came forward to meet the Sergeant at Arms and stood with him before the Speaker's desk while Mr. Blaine, in the usual formalities, censured Brown in the name of the House. Brown was very red in the face and looked rather downcast, but betrayed very little feeling, and after the censure had been given he said in a low voice, and with a calm manner, that he did not intend to prevaricate in his reply to the Speaker, and he did not intend any discourtesy to the House. It was noticeable that he did not retract anything that he had said about Butler.

OPINIONS OF MEMBERS ON BROWN'S CONDUCT.

During the latter part of the debate a large number of Senators were on the floor, and were quite free in their expressions concerning the scene. It is stated that Mr. Gordon spoke quite warmly to Brown of his conduct and of its bad effect upon the party. Gordon said the Democrats must not be the aggressors, and that Brown ought to apologize to the House. Senator Merrimon said Brown ought to apologize to Gen. Butler out of regard for his own party, which is injured by his conduct. In private conversation the Republicans recall the *ante bellum* scenes of disorder and almost violence that were enacted in the House, and wondered if the accession of the Democrats to control would introduce again the former methods of debate and action.

The bill goes over till to-morrow at 10 A. M., to which hour the House took a recess.

### *AFFAIRS IN LOUISIANA.*

PROSPECTS OF A COMPROMISE—THE NORTHERN DEMOCRATS ANXIOUS TO KEEP DISORDER FOR POLITICAL EFFECT—THE LOUISIANA DEMOCRATS MODERATING THEIR DEMANDS.

*Special Dispatch to the New-York Times.*

WASHINGTON, Feb. 4.—Private advices from New-Orleans are hopeful of a compromise of the political difficulties, and the Conservatives think it made it will give peace to the State for the remainder of Kellogg's term. It is represented that the greatest difficulty in the way of compromise, heretofore, has been the willingness of Northern Democrats to see disorder continue, because they believed they were gaining political capital by it. The better class of the Louisiana Democrats are getting weary of the strife, and are not so extreme in their demands as formerly. There are some Republicans here who are unyielding, and would listen to nothing except an unconditional acknowledgment of the Kellogg Government. But such is not the prevailing sentiment of Republicans in Congress.

### *FLORIDA.*

THE UNITED STATES SENATORSHIP STILL UNSETTLED—THE BONDS ISSUED TO THE JACKSONVILLE AND MOBILE RAILROAD.

TALLAHASSEE, Fla., Feb. 3.—Two ballots were taken to-day for Senator. On the first ballot Gov. Walker came within one of being elected, and Mr. Avery, a Republican, tried to give him that vote, but at the last moment he said he intended to vote for Sam. Walker, and not Gov. Walker. Intense excitement prevailed when Avery changed his vote to Walker. Democrats cheered and threw up their hats, thinking they had their man elected. When Avery explained the Republicans cheered lustily. There was no material change on the second ballot.

The Senate to-day passed the House concurrent resolution appointing a committee of five to investigate the validity of the $4,000,000 bonds issued to Littlefield for the further extension of the Jacksonville, Pensacola and Mobile Railroad.

THE VOTE FOR SENATOR IN DETAIL—CHARGES OF CORRUPTION.

TALLAHASSEE, Fla., Feb. 4.—The vote for Senator to-day was as follows: Jones, 34; McLin, 24; McGhee, 7; S. Walker, 6; the rest scattering. Mr. Hicks made a speech, in which he spoke of the difficulty of uniting the Republicans, and intimated that corrupt and improper means had been used to influence Republican votes. This stirred up the Republican members, and the matter ended by the appointment of a committee to investigate.

## WASHINGTON.

*THE WAYS AND MEANS COMMITTEE AND THE REVENUES.*

NO MEASURE YET DECIDED ON—THE DEMOCRATIC POLICY OF EMBARRASSING THE REPUBLICANS—PARTISANSHIP WITHOUT PATRIOTISM—THE JOINT RULE REGULATING THE COUNTING OF THE ELECTORAL VOTE—THE ST. ALBANS RAID AND THE ST. ALBANS BANKS.

WASHINGTON, Feb. 4.—The Ways and Means Committee to-day considered further the various propositions for increasing the revenues, but decided nothing. It becomes apparent, as the discussion proceeds, that the Republican Party must take the responsibility for action or inaction on this subject. The Democrats have given notice in various ways that they will act together against any proposition to increase the revenues. The Democrats believe that the Government can be maintained for another year on existing revenues if no provision is made for the sinking fund. The balance in the Treasury would be very small, and the Secretary would be like a man having a very small balance in bank and doing a very large business. They know that a failure to increase the taxes means that the sinking fund must be unprovided for, and that the laws and solemn pledges of the country must be violated. As a party they would permit such violation, and continue to cry out for economy in expenditures and against taxing the poor man's breakfast table. They know that with no additional revenues the blame for any failure of the Government to meets its obligations will fall upon the Republican Party, and the minority will reap the benefit in the next elections. Partisanship and not patriotism is acknowledged to be the mainspring of their action. The Republicans are far from being united on the details of any measure to provide for the Treasury, and the Democrats hope that on this account no provision will be made. The subject will probably be made the theme of a conference of the Republican members in which an attempt will be made to harmonize views, but no definite proposition is yet in condition for party consideration.

BUSINESS IN THE SENATE.

The Senate occupied the day in considering bills of a private character from the Committee on Claims, and in discussing the motion of Mr. Morton to amend the twenty-second joint rule of the two Houses of Congress relating to the counting of the electoral vote. This rule, as it now stands, provides that if upon the reading of any certificate, when the electoral votes shall be counted in the presence of the two Houses, any question shall arise in regard to counting the votes, the Senate shall thereupon withdraw to its own Chamber and the question shall be submitted to the two Houses separately; but no vote objected to shall be counted except by concurrent vote of the two Houses. It further provides that the question shall be decided without debate in either House. Mr. Morton, it will be remembered, several days ago submitted a motion to repeal this rule, but to-day amended that motion so as to provide that no objection to the reception and counting of any electoral vote or votes from any State shall be valid unless such objection is sustained by the affirmative votes of the two Houses. There was a disposition on the part of Senators on both sides to have further consideration of the subject postponed, and after some discussion it was referred to the Committee on Privileges and Elections. The calendar of the Senate has upon it some eighteen or twenty claims growing out of the war, but a large majority of Senators are opposed to considering them. One of this class, that of J. Milton Best, was vetoed by the President last year. Mr. Scott, the Chairman of the committee, to test the sense of the Senate to-day, moved to extend the time of the committee one hour, for the purpose of acting upon claims of this class; but an immediate vote could not be taken, and pending discussion the time first allowed the committee expired, and the Senate then, by a vote of 21 to 18, agreed to take up the resolution in relation to the repeal of the joint rule.

THE ST. ALBANS RAID.

Mr. Washburn, from the Committee on Claims, reported favorably upon the bill introduced in June last by Mr. Morrill, of Vermont, to pay the First National Bank of St. Albans, Vt., for United States Treasury notes taken from it by the St. Albans raiders in 1864, when that bank was the financial agent of the Government.

*Dispatch to the Associated Press.*

THE TARIFF.

The Committee on Ways and Means considered the tariff question to-day and took various notes, which developed the fact that tea and coffee will not be taxed as an independent proposition, but will be if some other articles now free are included with them. So such tax on tea and coffee is conditional. A minority of the committee are opposed to any new Tariff bill, but there seems to be no doubt that a bill will be reported, probably by Monday next. The Commissioner of Internal Revenue will to-day or to-morrow appear before the committee to explain as to what additional taxes may be imposed on articles connected with his bureau.

THE SACS AND FOXES TO LEAVE KANSAS.

Loping Bear and Principal Man, two chiefs of the Sacs and Foxes, were at the Executive Mansion to-day appealing to the President to allow the band they represent, which is now in Kansas, to remain there, and not go with the others of that tribe to the Indian Territory, their land having been sold to the Government, and treaty stipulations having been entered into requiring the removal of all these Indians from Kansas. The President told them that their wishes could not be complied with, and it will be necessary for their band to join the rest of the tribe on their reservation in the Indian Territory. Indian Commissioner Smith accompanied the Indians to the White House.

ALLEGED SALE OF A CADETSHIP—EXONERATION OF MR. STOWELL.

The House Committee on Naval Affairs to-day concluded their investigation of the charge against Representative Stowell of having sold a cadetship, and unanimously agreed to the following resolution:

*Resolved*, That while the testimony in this case shows that Dr. Beattie paid to George W. Graham $1,700 to procure the appointment of a cadet to the Naval Academy from the Fourth Congressional District of Virginia, it fails to sustain the charge that Hon. William H. Stowell received any portion of the money.

ARMY ORDERS.

The Secretary of War orders that hereafter a regimental staff officer in accepting a recruiting or other similar detail which will remove him from the discharge of his staff duties for any considerable time, will be viewed as vacating his staff position from the date of his acceptance of the detail. This will not prevent the detail of regimental staff officers on courts-martial, boards, or other kindred duty, in cases where it will be for the public interest to make the detail.

### *BONDHOLDERS' MEETING.*

BOSTON, Mass., Feb. 4.—At a meeting of the first mortgage bondholders of the Leavenworth, Lawrence and Galveston Railroad to-day, a committee was appointed to confer with the present management and examine into the exact condition of the affairs of the road, and report the same to the bondholders, and what action, in their opinion, should be taken. A vote was also passed protesting against the appointment of Mr. Nettleton, General Manager of the competing Missouri River, Fort Scott and Gulf Railroad, as Receiver of the Leavenworth, Lawrence and Galveston Railroad, as contrary to the interests of the bondholders of the latter road.

### *ACCIDENT ON THE SOUTH SIDE RAILROAD.*

FOUR LIVES LOST—A CAR AND ENGINE ROLLED DOWN AN EMBANKMENT AND BLOWN TO PIECES—SERIOUS RESPONSIBILITY—THE CORONER'S INQUEST—THE CONDUCTOR'S STATEMENT.

At 8:10 o'clock on Wednesday night the train on the Hempstead branch of the Southern Railroad of Long Island was wrecked at Woodfield, a point midway between Hempstead and Norwood Stations. Eli Thorpe, the Road-master; James Scott, the engineer; Bernard Callahan, the fireman, and Benjamin Carman, the brakeman, were killed outright. Besides these, there were on the train, which consisted of the engine and one car, John J. Barr, the Assistant Superintendent; the conductor, David Rancour, and two trackmen. Barr sat with Thorpe, and was knocked senseless and cut in the head. Rancour is terribly injured. He is at a farm-house half a mile fnom where the accident occurred. One of the trackmen named Parson was badly cut in the head. The other trackman escaped with slight scratches. The cause of the accident arose out of the fact that a body of water had accumulated in a five-acre lot, next the track on the north side, to a depth of twelve feet. The bed of the railroad was eleven feet above the level of the farm-land. A pipe, fifteen inches in diameter, had been placed under the track six years ago, to carry off the water which has always settled there. This was insufficient for the unusual accumulation of water, and, as the bank of earth washed away, the dirt choked the pipe, and the water took its course over the top of the track. By this means the whole embankment was soon swept away. The conductor feared an accident, and telegraphed the Superintendent to that effect, and also that he had to land his passengers a quarter of a mile outside of Hempstead. It is said that the answer he received was to run ahead until the track could be inspected. On the 6 o'clock trip Barr and Thorpe went over the track, and the boss trackman McLoughlin had been over it before them. They examined the track at Bridgeport and Norwood, but paid no attention to its condition at Woodfield, although this was the most dangerous spot. The conductor had been warned by passengers at 4 o'clock in the afternoon not to run over the track again. Nevertheless he ran another trip to Valley Stream and then telegraphed Barr that it was unsafe, and was told in reply to await Barr's arrival at Valley Stream. They then ran over the spot and made no examination. At 4 o'clock in the afternoon the engineer stopped his train before going over, and then proceeded very slowly after arriving at the conclusion that it was unsafe.

At the time the of accident the car crossed in safety, but the weight of the engine broke one rail and bent the othere in the shape of an S, and fell a distance of eleven feet. The car rolled over and down the embankment, and the boiler exploded immediately, utterly destroying the car and engine.

The body of Scott was taken from the front trucks of the engine dead. The body of Callahan was under the tank for several hours. Carman was killed in the fall of the car, and Thorpe was killed by a blow from a piece of the wreck, and his body was terribly scalded. The bodies of the engineer and brakeman were shockingly mutilated. Scott leaves a widow and three children, Carman a widow and one child. It is not known whether or not Thorpe was married, and Callahan was single. The conductor [Rancour] has a wife and child in Albany. He and Thorpe had but recently been employed on the Harlem Railroad.

Coroner Hicks held an inquest at 11 o'clock, when the jury viewed the bodies, and examined the locality of the wreck.

Yesterday afternoon a large gang of men began clearing away the track. Superintendent Barton told them to burn the car and detris, as it was one of those cross-timbered cars that never were good for anything. The inquest has been adjourned for a week. The dead bodies were removed to Hempstead.

The railroad company say that they are operating the road for the Brooklyn Trust Company.

### *STORMY AND COLD WEATHER.*

A RAILROAD TRAIN SNOWED IN—THE PASSENGERS WITHOUT FOOD OR FUEL.

CHICAGO, Ill., Feb. 4.—A special dispatch from Dubuque, Iowa, to the *Post and Mail* states that the last westward bound train on the Iowa Central Railroad stuck fast in a snow-drift about seventy miles from Dubuque, and that the thirty passengers on board the train were without food or fuel. This morning a relief train was started out to render them assistance. Terrible snow storms have prevailed in that section for three days, the thermometer ranging from 21° to 26° below zero.

TERRIBLE SNOW-STORMS IN KANSAS — A WOMAN FROZEN IN THE STREET.

ST. LOUIS, Mo., Feb. 4.—Special dispatches from Wichita, Kan., say that a terrible storm occurred there on Tuesday night. A Mrs. McAdams was frozen to death in the street while returning home from a visit to a neighbor. One man was brought in frozen stiff from the Prairie, and it is feared that many other persons, caught out in the storm, perished in the same manner.

COLD WEATHER IN ONTARIO.

TORONTO, Ontario, Feb. 4.—Another cold snap is prevailing throughout Ontario, accompanied by almost a gale of wind, and at some points north-west, snow, the thermometer ranging from zero to 20° below. The branch lines of railway are blocked, but the main routes are open, and trains nearly on time.

NINE PERSONS KILLED BY THE SNOW AVALANCHE AT CAPE DIAMOND.

QUEBEC, Canada, Feb. 4.—Nine persons were killed in their houses by the snow avalanche at Cape Diamond, last night, namely: Mrs. O'Keefe, Mrs. Haberland, John Gibson, Mary, his wife, and their five children. Several others were seriously injured.

DANGEROUS SNOW-SLIDES IN BOSTON.

BOSTON, Feb. 4.—The continuous rain during yesterday caused numerous snow-slides from the roofs of buildings, and several persons were injured more or less severely. James Doyle, of East Cambridge, received a compound fracture of the skull, which will probably prove fatal.

A BARK DRIVEN ASHORE ON THE JERSEY COAST.

ASHBURY PARK, N. J., Feb. 4.—The bark Thomas Fletcher, Capt. Pendleton, from Hamburg, for New-York, struck near Ocean Grove last evening Her cargo consists of empty coal-oil barrels. There are three steamers alongside, and the bark will probably be floated without much damage.

THE SIGNAL OFFICE REPORT.

WASHINGTON, Feb. 5—1 A. M.—The barome- has very generally rising, and the temperature has fallen, especially in New-England. Clear weather is reported, except at stations on the South Atlantic and Gulf coasts, and local snows on the lower lakes. North and north-east winds prevail in the Southern States. Fresh to high westerly winds are reported from the lower lakes Middle and Eastern States. The rivers have risen at Freeport, Pittsburg, Paducah, Memphis, Cairo, and Vicksburg, and fallen at Nashville.

PROBABILITIES.

During Friday, for the South Atlantic States, rising barometer, northerly winds, followed by higher temperature and possibly rain on the coast.

For the Gulf States, stationary or rising barometer, north to east winds, lower followed by higher temperature and clear weather, except rain on the Western coast, subsequently extending northward.

For Tennessee and the Ohio Valley, stationary barometer, southerly winds, higher temperature, clear and partly cloudy weather.

For the Lower Missouri and Upper Mississippi Valleys and the North-west, falling barometer, south-east winds, warmer, clear, and hazy weather.

For the lake region, stationary or higher barometer, south-west winds, and warmer, clear weather, with occasional local snows.

*For the Middle and Eastern States, rising barometer, lower, followed by higher, temperature, diminishing north-west to south-west winds, and generally clear weather.*

## LATEST NEWS BY CABLE.

*SPAIN.*

REPORTED DESTRUCTION OF CARLIST GUN FOUNDRIES.

MADRID, Feb. 4.—It is reported that Gen. Loma has destroyed several cannon foundries of the Carlists in the province of Guipuzcoa.

CAPTURE OF PUENTA LA REYNA FROM THE CARLISTS—KING ALFONSO UNDER FIRE.

MADRID, Feb. 4.—The Alfonsists have captured Puenta La Reyna at the point of the bayonet. Their victory was complete, and they are now within six kilometres of Estella. The village of Puenta La Reyna was set on fire by a shell and destroyed.

King Alfonso was under fire for the first time in a skirmish at Oteiza.

Gen. Loma defeated the Carlists yesterday at Cestona, ten miles south of San Sebastian, after five hours' hard fighting. He captured cannon, which he will use for the defense of the Carrascal Pass.

*BELGIUM.*

MARRIAGE OF THE DUKE OF SAXONY TO THE ELDEST DAUGHTER OF THE KING OF THE BELGIANS.

BRUSSELS, Feb. 4.—Prince Philip, Duke of Saxony, was married to-day to the Princess Louise, eldest daughter of the King of the Belgians. The Prince of Wales, the Duc d'Aumale, the Comte De Paris, and many other persons of rank and distinction were present. The Archbishop of Malines performed the ceremony.

*THE CAPE OF GOOD HOPE.*

LARGE NUGGETS FOUND IN THE GOLD FIELDS—A DESTRUCTIVE AND FATAL FIRE.

LONDON, Feb. 4.—Advices received to-day by the arrival of the mail steam-ship from the Cape of Good Hope say that large nuggets have been found in the gold fields.

There had been a destructive fire in the town of Stellenbosch. A number of dwellings were burned, and several persons perished.

*CHINA.*

FORMAL PROCLAMATION OF THE DEATH OF THE EMPEROR.

SHANGHAI, Feb. 3.—A proclamation has been issued formally announcing the death of the Emperor, giving in detail the ceremonies observed at the funeral, and stating that the question of the succession to the throne has been settled. Tranquillity prevails.

*EGYPT.*

DARFOUR ANNEXED TO EGYPT.

CAIRO, Feb. 4.—The country of Darfour has been annexed to Egypt.

### *AMUSEMENTS.*

THE OPERA BOUFFE—"GIROFLE-GIROFLA."

The success of "Giroflé-Girofla" in Paris, in London, and, in fact, in all the European capitals, is readily explained. The music of the work is exceedingly vivacious; its story affords opportunities for a display of scenery and costumes of uncommon picturesqueness and beauty, while it is reasonably well supplied with comic incidents; and, lastly, it is by the composer *à la mode*, that is to say, by the author of "La Fille de Madame Angot," who, though a writer much less inventive than Offenbach and much less ingenious than Hervé, has quite displaced both musicians in the good opinion of opera bouffe audiences. "Giroflé-Girofla" was last evening represented at the Park Theatre, and the indications that it would attract and please for many successive nights, were numerous and strong. As in the performances of the piece abroad, great regard had been paid to giving its features all possible prominence. Thus it happened that the distribution included, with the principal members of the New-York company controlled by Messrs. Grau and Chizzola, an artist especially engaged by them in Paris for the present series of recitals; and that the sets and dresses were new, appropriate, and gorgeous. "Giroflé-Girofla," as performed at the Park, has exactly the same chances of a long career it enjoyed when produced across the Atlantic, and, judging from its longevity elsewhere, we have considerable confidence in its hardihood on American soil.

The cleverly contrived libretto deserves a brief summary. *Don Boleno D'Alcazaras* a Grandee of Spain, and his wife *Aurore* have, it tells us, two children, twin daughters, *Giroflé* and *Girofla*, who are so remarkably alike that the only means of distinguishing them is by their clothing. One wears blue and the other pink. *Don Bolero*, when the piece opens, is in great trouble and danger from two quarters; he owes 4,000,000 francs to a banking-house, *Marasquin et Cie*, and is threatened with proceedings for its recovery, while he is also in dread of an invasion of his territory by a fierce neighbor of his, a Moor, *Mourzouck*. *Aurore* has contrived to appease these two enemies by sending them the portraits of her daughters, and arranging a double marriage, *Marasquin* to marry *Giroflé*, and *Mourzouck Girofla*. The piece opens on the wedding day. *Marasquin* arrives attired for the bridal, and is indignant when he is informed that *Mourzouck*, owing to a toothache, is unable to come, and that the wedding must be postponed until the next day. *Bolero*, from motives of economy, will not give two breakfasts, and wishes both the weddings to be on the same day. But *Marasquin* insists upon being married at once. All is arranged, when *Girofla* is carried off by a redoubtable band of pirates. *Bolero* sends a celebrated Admiral, *Matamoros*, in pursuit of the pirates, and he undertakes to restore him his daughter by the evening. In the meantime *Mourzouck*, recovered from his toothache, appears and demands his bride. *Bolero* is afraid to tell him that *Girofla* has been carried away, and tries to put him off, but *Mourzouck*, in a most threatening manner, insists on her being produced at once. *Aurore* at last hits on a plan, and putting the pink ribbon on *Giroflé*, introduces her to *Mourzouck* as *Girofla*, in order to gain time. In their terror, they allow her to go through the marriage ceremony with *Mourzouck* in place of her sister, although she is already married to *Marasquin*, intending to substitute *Girofla* for her when she is brought back by the Admiral. Various expedients are resorted to by *Bolero* and his wife to keep *Giroflé* out of sight of her two husbands until the return of her sister, and much confusion naturally ensues. The hour approaches at which *Matamoros* promised to reappear, when a messenger arrives from him with the appalling news that he has been defeated by the pirates, and that *Girofla* is on her way to the seraglio of Constantinople. There is now no chance of her being recovered until the next day, although *Matamoros* intends starting again in pursuit; *Bolero* and *Aurore*, in an agony of terror, lock *Mourzouck* up in his room. The next day *Mourzouck*, furious at the treatment he has received, having smashed all the furniture in the room to calm himself a little, demands an explanation. *Bolero* attempts to explain, but fails, and begs *Marasquin* to allow his wife [*Giroflé*] to personate her sister for a short time. *Marasquin* is most unwilling, but yields to the deception to save his father-in-law, with the understanding that *Mourzouck* is obliged to depart in an hour's time on an expedition. *Mourzouck* demands to be left alone to talk with his wife, and the time of departure approaching takes his leave. *Bolero*, *Aurore*, *Marasquin*, and *Giroflé* break into manifestations of joy at his departure, and *Marasquin* embraces *Giroflé* with effusion. *Mourzouck* at this moment returns, and, seeing all this, demands of *Marasquin* what he means by kissing his (*Mourzouck's*) wife. *Marasquin* refuses to explain, and *Mourzouck* challenges him to combat. *Marasquin* will not fight, and tells *Mourzouck* the truth. Another explosion of rage from *Mourzouck* is imminent, when *Matamoros* returns, bringing back *Girofla*, whom he has rescued, and every one is satisfied.

While we have no desire to disparage M. Lecocq's latest achievement, we cannot help expressing the opinion that extreme liveliness is the principal merit of the score accompanying this story. It is certainly not devoid of melody, nor of the ear-catching tunes which are essential to the popularity of an opera; some of the vocal writing is delightfully fluent and very elegant, and there are many bits of instrumentation denoting the hand of a master of his art, and of a man of most delicate fancy into the bargain; we acknowledge, however, that, comparing Lecocq only with Lecocq, "Giroflé-Girofle" is not on a plane with "Fleur de Thé" in point of freshness, or with "La Fille de Madame Angot" in respect of spontaneousness. Yet we repeat that there is not a dull number in the twenty and odd compositions it contains, and several of these are to be cited for excellences which make them appear almost too good for the unpretentious text from which they spring. Felicitous instrumental combinations, by means of which even commonplaces take on a pleasing color and something of newness, abound in "Giroflé-Girofla," from the opening verses, "Lorsque la journée est finie," in which a pizzicato accompaniment, accented by blasts of the trombone, heighten the description of the pirates as embodied in words, to the last rollicking finale. In the first act are noticeable a concerted piece, "A la chapelle," in which there is a dance-progression, which will be heard in every ball-room before the Winter ends; a syllabic chorus of pirates, after the fashion of the conspirators' chorus in "La Fille de Mme. Angot;" a prettily-harmonized duetto, "Le mariage est fini;" a lively chorus for the Moors, and at the close, a real gem in shape of a finale, commencing "Comme elle ressemble." The first phrase, which is full of piquancy, is taken up in canon form, and passes from voice to voice, while the harmonic tissue becomes closer and richer, the soprano tones rising against it, and glistening like diamonds on velvet. The only defect in this delicious passage is its slight development; Ambroise Thomas would have given it thrice its length, and with the best results. In the second act of "Giroflé-Girofla" are to be mentioned the merry *refrain* of the song "Nos ancêtres;" a nice quintet —"Matamoros"—with a martial motive; and, in the merry finale, an andante in which the blending of the soprano and tenor voices prove as agreeable to the ear as usual; we did not find much to admire in the drinking song, which, however, was repeated, as were indeed several parts of the opera which we have not referred to. In the third act a trio for tenor and soprano, beginning "En entrant;" and the duet and trio, "Ma belle Girofla," claim attention by graceful phrases and neat touches in the orchestra.

M. Lecocq's work was capitally interpreted last evening. Mlle. Coralie Geoffroy, who filled the dual title role, is a finished songstress and actress, and knows exactly when to subordinate vocal display to the exigencies of the situation, while quite equal to *bravura* work of a very creditable kind. Mlle. Minelly, who portrayed *Marasquin*, did complete justice to her music and to her lines, and Mlle. Kid presented a most laughable picture of *Aurore*. It was close upon midnight when the entertainment ended, else we should be glad to write in detail of the labors of MM. De Quercy and Valaire, who embodied respectively *Mourzouck* and *Don Bolero*; under the circumstances we must be content to say that both gentlemen did very well. The stage-attire of "Giroflé Girofla" is magnificent; particulars under this head must also be deferred. Before concluding this notice, however, we ought to remark that the theatre was crowded, and that the applause gave evidence of lively gratification at the opera and its recital. "Giroflé-Girofla" will remain on the programme until further notice.

THE ENGLISH OPERA.

Miss Kellogg will this evening sing in "The Bohemian Girl" at the Academy of Music. To-morrow, at the matinée, "Mignon," in which the whole company produced so favorable an impression Friday of last week and day before yesterday, will be represented, no doubt in presence of an overflowing audience.

### *ANNUAL MEETING OF THE NEW-YORK YACHT CLUB.*

NAMES OF THE OFFICERS ELECTED—PREPARATIONS FOR THE SPRING REGATTA—$3,500 APPROPRIATED FOR PRIZES.

The annual meeting of the New-York Yacht Club was held last night at their Club-house, corner of Madison avenue and Twenty-seventh street, at 8 P. M. From sixty to seventy members were present, including such well-known yachtsmen as A. C. Kingsland, Jacob Voorhis, Jr., William T. Garner, J. R. Maxwell, William H. Langley, A. B. Stockwell, Rutherford Stuyvesant, J. S. Dickerson, S. J. Colgate, and A. T. Livingstone. Vice Commodore William P. Douglas, occupied the chair, and Mr. Charles A. Minton acted as Secretary. The first subject before the club was the election of officers for the ensuing year. For the position of Commodore, George L. Kingsland and Capt. William H. Thomas were nominated, the former being elected on the first ballot by a vote of 42 to 15. William T. Garner was chosen Vice President, receiving 48 votes to 6 for Rutherford Stuyvesant. A ballot for Rear Commodore which followed resulted in the choice of S. Nicholson Kane by a vote of 40 against 18 for J. J. Alexander. Charles A. Minton, the present Secretary, was re-elected with little opposition. The remaining officers were then selected as follows: Treasurer, Sheppard Homans; Measurer, A. Carey Smith; Fleet Surgeon, L. De Forest Woodruff; Regatta Committee, William Krebs, R. R. Cooke, J. F. Tams; House Committee, Fletcher Westray, N. D. White, George L. Jordan, William H. Pendleton, J. F. Beresford, S. W. Kidd, and H. N. Alden. The following new members were admitted: Alexander M. Fisher, Hugh L. Willoughby, Walter S. Appleton, Gouv. Kortright, Ira Bursely, and Mr. E. Boutcher, the owner of the Flora, the English cutter, which is expected in New-York some time during the Spring. Mr. Boutcher's yacht is the fastest in British waters, and it is announced that that gentleman is anxious for a trial of speed with the "crack" boats on this side. After ballotting for the new members, the club proceeded to fix the 17th of June next as the date of the Spring regatta of 1875. Three thousand five hundred dollars was appropriated for defraying the cost of the prizes, and other necessary expenses of the occasion. A communication was read from Mr. Flint, of this City, offering to donate to the club a tract of land valued at $10,000, on Collins Point, on the Sound, provided the members would erect upon the property within six months, a suitable club-house. This, with a proposition from Mr. William T. Garner to lease to the club for five years a well-furnished house on Staten Island, at an annual rental of $2,000, was referred to a committee of five, with instructions to report at a special meeting to be held on Thursday next. It is stated that either of these proposals, if adopted, will necessitate the abandonment of the present club-house in Madison avenue.

### *LOSS OF A BRIG AND A SCHOONER IN THE PACIFIC.*

SAN FRANCISCO, Feb. 4.—Information reached this city yesterday that the brig Hattie Jackson, which went on a trading cruise among the South Pacific Islands, went ashore and became a total loss on the island of Santo Prior on Nov. 30. The crew were saved. The vessel hailed from this port.

The fate of the missing schooner Emily K. Farnham has at length been ascertained. Her hull, bottom up, has been reported ashore between Coos Bay and Crescent City. The schooner evidently capsized in a squall so suddenly that all on board perished. There were eleven persons altogether—passengers and crew.

### *A JURY WHO WERE AFRAID TO SAY WILLFUL MURDER.*

BOSTON, Feb. 4.—The verdict in the case of the alleged poisoning of four children, at Holliston, Mass., by "Baby Farmers," is that they died from an excessive use of laudanum, and other narcotics and continued abuse, cruel treatment and neglect on the part of the woman who took them to board.

## MR. BEECHER ON TRIAL.

*TILTON STILL ANSWERING MR. EVARTS' QUESTIONS.*

THE CONTROVERSY OVER MR. BEECHER'S CLEVELAND LETTER—TILTON'S VIEWS ON MARRIAGE AND DIVORCE—HIS EARLY ESTIMATE OF BEECHER—UNIQUE REPLIES OF WITNESS—MERRIMENT IN THE COURT-ROOM.

The cross-examination of Theodore Tilton was continued yesterday by Mr. Evarts. The court-room was crowded, and all the principal persons in the case were present. Several strange ladies were among the audience. Mrs. Tilton came into court accompanied by Mrs. Shearman, Mrs. Fields, the Quaker lady, Mrs. Tubbs, Mrs. Putnam, Mrs. Phelps, and Mrs. Dunkley. Mr. and Mrs. Beecher were accompanied by their sons and Mr. Edward Beecher. Tilton entered court alone. The business of the day was begun by Mr. Evarts handing Tilton three corrected slips, and asking him if they formed the Cleveland letter, written by Mr. Beecher. Tilton refused to identify them as the letter. Then Mr. Evarts asked him if they did not comprise, in their contents, the political situation in 1866, which estranged the witness and Mr. Beecher to some extent. Tilton replied that the situation in that regard was that he remained faithful to the great body of the Republican party, while Mr. Beecher and Mr. Evarts supported Andrew Johnson. Mr. Evarts vehemently protested against being introduced in the answer. Mr. Beach replied that Mr. Evarts, who asked the question, formed so important a part of the political situation referred to that the mention of his name was justifiable. Mr. Evarts said that he had nothing to do with it, and did not desire to be made conspicuous. Judge Neilson, in his dry way, said: "And even if he had, he is forgiven." This interchange of pleasantries created much merriment in court. Tilton then stated that in the Cleveland controversy he was sustained by the bulk of the Republican Party, and not only by the Radicals.

Reference was then made to the controversy regarding the Missionary Society fund. He was sustained and supported by the conservative portion of the church. In the questions which followed Tilton brought in the name of the defendant in a very skillful manner. He was asked when he became in favor of woman's rights, and answered that after Beecher had made a very magnificent speech in Cooper Institute favoring woman's rights, Mr. Beecher asked him to join in the enterprise. He did so, and thus became acquainted with Gen. Butler, Elizabeth Cady Stanton, Chief Justice Chase, Lucretia Mott, Wendell Phillips, Anna Dickinson, William Lloyd Garrison, Isabella Beecher Hooker, and others. Referring to the eminence of these persons, Tilton declared that there were not a thousand eminent persons in the country. He was then asked when he had discussed opinions asserting greater freedom in the matter of marriage and its dissolution. He answered that he had denounced looseness in the marriage relation after Beecher had invaded his house in 1870, and that he had advocated greater liberality in divorce after the performance of the McFarland-Richardson marriage at the Astor House, for which act he sustained Beecher. He asked Mr. Evarts if he knew the date of that marriage. Mr. Evarts said that he did not know anything about it. At this point Mr. Shearman staggered up to the witness stand, with a large bound volume of the *Independent*, which he could not easily hold. Mr. Beach volunteered to help him, and the audience laughed heartily. Mr. Shearman then read an article written by Tilton, on "Love, Marriage, and Divorce," published in the *Independent*. The article was thickly interspersed with poetical quotations. Mr. Evarts then read Mr. Tilton's poem, "*Aimer, aimer; c'est a vivre*," in a sprightly way. At the close of the last verse, a round of uproarious laughter broke out in court, the counsel and the court joining without any compunction. Mr. and Mrs. Beecher laughed undisguisedly. Mrs. Tilton smiled reflectively, but Mr. Tilton's face was as solemn as the grave. In this reading, Mr. Evarts made the first genuine hit of the day.

Mr. Shearman then read an article published in *Hearth and Home*, republished in the *Golden Age*, with Tilton's reply to it. This was also interspersed with poetry, and the effect produced was so marked that when Mr. Shearman next proceeded to read an article of Tilton's in reply to one written by Horace Greeley, Tilton asked Mr. Evarts to do him a personal favor. Mr. Evarts asked what it was, and Tilton replied that he wished Mr. Evarts to read the article. There was much laughter at this, and Mr. Shearman blushed. Mr. Evarts left the reading to Mr. Shearman, and the court suggested that only the required paragraphs should be read, as the reading of the entire article might prove a burden to counsel. Judge Fullerton, with extraordinary suavity, informed the court and audience that the reading of anything written by Tilton would never be a burden to him. Mr. Shearman then read the article. Then an article taken from the Troy *Times* and republished in the *Golden Age* was offered in evidence, and ruled out by the court. Another article contributed to and published in the *Golden Age* was offered in evidence. Tilton asked permission to speak to Mr. Evarts. After a moment's whispered conversation Mr. Evarts asked Tilton if he had expressed any dissent to its appearance. Tilton answered that subsequent to its publication he had ascertained it was written by a lady member of Mr. Beecher's church and one of the principal writers for the *Christian Union*. A discussion between Mr. Evarts and Tilton as to the propriety of mentioning the lady's name called from Mr. Beach the remark that the discussion should be continued during the recess. Tilton stated that he spoke to the lady and discountenanced the article she had written. The article was then offered in evidence and ruled out by the court. A recess of an hour was had at this point of the proceedings. On the reassembling of court Mr. Evarts offered the biographical sketch of Mrs. Woodhull in evidence and argued as to its admissibility. Messrs. Beach and Fullerton replied. Mr. Fullerton stated that Tilton had written it with the approval of the defendant to suppress Mrs. Woodhull's revelation of the scandal, and received Beecher's commendation for doing so. And Mr. Fullerton produced a marked sensation by saying that if, to attain this object, Mr. Tilton was called on to write a glowing eulogy upon Judas Iscariot he would have done so, and the defendant would have given the act his blessing. Judge Neilson decided that the pamphlet was not admissible in evidence.

Judge Porter then read the Cleveland letter, from a newspaper file, and it was admitted in evidence, the plaintiff's counsel reserving the right to read Mr. Beecher's retraction of the letter at a subsequent stage of the case. Mr. Evarts then examined Tilton as to his early

acquaintance with Mr. Beecher. He said he had known Beecher since he was sixteen or seventeen years old, and that he thought then that he knew him thoroughly, but had since found he was mistaken; that he had regarded Beecher as the most winning man he had met; a big boy, in his gay, hearty, companionable manner. He did not think him guileless. Boys were generally crafty—newsboys, as an instance. At this time Beecher was his man of all men; the one he loved next after his father; but as he grew older and saw more of the world, the fine gold of his idol became dim, and he found many men, notably Charles Sumner and Horace Greeley, superior to Beecher, both in intellect and morals. The witness said in a most significant manner, that in after life, the idols of a man's youth were shattered—at least he had found it so. Mr. Evarts then asked him whether he considered that in the Church Missionary controversy he had the best of Beecher. Tilton answered, "If I should say I did, it would be immodest; if I should say I did not, I would lie." Mr. Evarts then questioned Tilton as to his asking Mr. Beecher to visit his house, and whether on one occasion he said, "There's a little woman there who loves you dearly." Tilton said that if he had, it would have been perfectly natural and true. Reference was then made to Tilton's conferring a benefit on a member of Mr. Beecher's family, and which Beecher considered a great favor. Tilton expressed an unwillingness to mention the name of the member of the family. Mr. Evarts asked whether it was not rendered to Mr. Beecher's son in the army, and Tilton said in reply, "To Beecher's son out of the army."

Mr. Tilton, in response to further questions, said that he had portraits of Beecher and Wendell Phillips painted by William Paige, and that he sent Beecher's to Moulton's house in the Summer of 1870. When asked regarding his intimacy with Moulton he said that Moulton was the successor of Sir Philip Sidney in all that was manly, honorable, and good, and that in the hour of his need he could find no one but Moulton to act as his friend. After some discussion between counsel as to the production of Mrs. Tilton's letters to her husband, the court adjourned until this morning at 11 o'clock.

## *THE PROCEEDINGS.*

At the opening of the court the cross-examination of Mr. Tilton was resumed by Mr. Evarts.

Q.—Mr. Tilton, that [paper handed witness] seems to be a rather imperfect print of a document. Please look at that, and see if that is the political situation, and that the document called the Cleveland letter. It seems to be a Western print of some kind, and corrected by a city paper, but we could not get a file of the paper in the office without more trouble than it was worth? A.—I should not like to give an opinion on that, Sir.

Q.—I did not ask you for a literary opinion. Look at that paper and see if it is the Cleveland letter, or purports to be that situation, and that the action on Mr. Beecher's part which we were last talking about when you left the stand?

Witness—Do you mean is that the letter which Mr. Beecher sent to the Cleveland Convention?

Mr. Evarts—Yes, Sir. Is that the letter he sent to the Cleveland Convention? A.—I have not read that letter since that time. Here are three sheets of paper marked with a hundred corrections, and not being the author of the document I should not like to express an opinion upon it.

Q.—Can you, by looking at that article, remember enough of the situation to know whether that is the situation? A.—No, Sir.

Q.—You cannot do it? A.—I should not say whether it is or not; if it was mine, I repeat, I should be able to tell.

HE IS UNABLE TO IDENTIFY THE ARTICLE.

Q.—You cannot say whether by looking at this paper you could see from it that this was the occasion of that political difference between you and Mr. Beecher? A.—That appears to be a letter addressed by Mr. Beecher to that convention which somebody has corrected, marking on the margin corrections, I should think to the number of one hundred; but whether that is the text as originally written, or whether it is the genuine letter I am unable to say, since I was not the one who wrote it.

Mr. Evarts—Now, I have not asked any of these questions, but have asked whether by looking at this paper you can recall to mind whether or not this is the situation in politics which this letter refers to that was the subject of the dissent between you and Mr. Beecher? A.—The subject of the dissent between Mr. Beecher and myself grew out of the political situation at that time. Mr. Beecher and you were on the side of President Johnson, and I was opposed—

Mr. Evarts—Mr. Tilton, I beg you not to introduce me into your testimony. I am not here subject to your action. You are here—

Mr. Beach (interrupting)—I object.

Mr. Evarts (continuing)—To answer my question—

Mr. Fullerton—Put your question.

Mr. Evarts (again resuming)—on the cross-examination, and no occasion arises for any answers that don't proceed from the question.

The Court—Mr. Tilton, the practice is to answer the question put as distinctly as you find yourself able to do, and not refer to the counsel in your answers.

Mr. Beach—Yes, Sir; but the question was in regard to the political situation at the time, which occasioned the difference between Mr. Beecher and himself, and as Mr. Evarts was a principal part of that political situation it was not improper for the witness to refer to it.

Mr. Evarts—I had not anything to do with it that I know of.

The Court—It is better not to refer to it.

Mr. Beach (to Mr. Evarts)—The witness is telling you that you had something to do with it.

The Court—He is forgiven now if he had.

Mr. Evarts—At all events, my relations to the political situation had nothing to do with this matter, and I don't want to make myself, or be made, a party to it.

Q.—Do you think that by reading what purported to be that letter of Mr. Beecher as sent to that convention you could determine whether or no it was the one that you considered and replied to or discussed in your difference with him? A.—I don't need, Sir, to hear any letter, true or false, correctly or incorrectly printed, to recall the difference which I had with Mr. Beecher at that time; it was a difference known and read of all men.

HE DOES NOT REMEMBER THE DATE OF IT.

Q.—Very well; now, for the date of it. A.—That I don't remember.

Q.—Do you think that it was in August or September, 1866? A.—I don't remember, Sir; if you say that is the date I will accept it.

Mr. Evarts—I don't say anything about it. This letter purports to be of that date, but then, I suppose, you might know a little something about the date of the matter in reference to your political affairs.

Q.—Was it in the year 1866? A.—That I don't remember, now.

Q.—Now, had that discussion a relation to the then current policy or politics of the Republican Party to which you belonged?

Witness—What discussion do your refer to?

Mr. Evarts—This Cleveland matter.

Witness—I don't remember that the discussion—do you mean Mr. Beecher's letter?

Mr. Evarts—No this situation in politics which you say you did not need to have any article or letter of Mr. Beecher read in order to know what the matter was?

Witness—Do I understand you that this situation in politics refers to a political matter—but of course it does.

Mr. Evarts—I asked you a question which the stenographer will be so good as to read. Read the question

The stenographer read the wrong question, and Mr. Beach said, that was not the question. Read the previous one.

THE RELATION OF THAT DISCUSSION TO POLITICS.

The Stenographer read the correct question as follows: Now, had that discussion a relation to the then current policy or politics of the Republican party to which you then belonged?

Witness—Yes, Sir.

Mr. Evarts—That is the question? A.—Yes, Sir.

Q.—And was it a matter of considerable excitement and attention in the counsels of the party and of its adherents? A.—Yes, Sir; I think the Republican Party very generally believed that Mr. Beecher at that time betrayed it.

The Court—A word answers the question—yes or no.

Q.—The general opinion of the Republican Party was that Mr. Beecher then betrayed it? A.—Yes, Sir.

Q.—You then took quite the opposite and hostile opinion to that? A.—I stood with the main body of the Republican Party, and made a protest against Mr. Beecher's action.

Q.—Yes. And did you make his letter and his opposition a matter of public discussion on your part in the sense in which you have now expressed yourself? A.—I did, Sir, in a very direct manner.

Q.—Now in both of these differences that you have spoken of, namely, the discussion about the application of the funds in reference to a charitable society, and this about the crisis in politics—if I may call it so—of 1866, were you on what was considered and called the more radical side and view, and Mr. Beecher the other way? A.—No, Sir; I was then with the general bulk and body of the Republican Party, and Mr. Beecher was in a small wing of it that acted in support of Mr. Johnson. The Radicals in politics were far ahead of both of us.

Q.—No; about the machinery of the society. That has not anything to do with it. A.—What is your question about that, Sir.

Q.—Whether you on that question of the machinery of the society—you know what I refer to? A.—Yes, Sir.

Q.—The debate you had. A.—Yes, Sir.

Q.—Whether you there were on the more Radical side and Mr. Beecher on what was called the more Conservative? A.—No, Sir. I was on the true, solid, and old-fashioned Conservative ground, and all the elderly members of the Missionary Society sustained me in it, and printed my speech on that occasion for general distribution.

Q.—There you had, as you think, the support of the greater portion of the good opinion of the party or the community, had you? A.—Of the religious community, yes, Sir.

Q.—And in the other of the political community? A.—Yes, Sir.

Q.—Now, from that time forward were there any particular public questions or occasions which brought you into public antagonism? A.—No, Sir, not that I remember. I think there were not.

HIS CONNECTION WITH THE WOMEN'S RIGHTS MOVEMENT.

Q.—Now, Sir, how early did you take part in the movements in reference to women's rights or women's suffrage, or that topic of public consideration? A.—I think that shortly after Mr. Beecher made a speech in Cooper Institute declaring for woman's rights, Mrs. Tilton said that I ought to assist in that enterprise—that it was right and proper—and I entered into it.

Mr. Evarts—That about Mrs. Tilton I ask to have struck out, your Honor.

Judge Neilson—Yes.

Q.—I asked you as to a certain time, and I much desire that you will consider the questions and answer them. A.—The best date I can give you is to go back to Mr. Beecher's public declarations in Cooper Institute; he made a speech there which was printed as a tract; I rather think that was the beginning of my espousal of that cause, if you know the date of that.

Q.—I am sure I do not know anything about it. A.—Well, he made a speech on that subject.

Q.—My point is to get a date, if I can. You remember something of which you cannot give a date in order to give me the date. A.—I remember that occasion, Sir; I do not remember the date of it; I told you yesterday that I remembered occasions much better than dates.

Q.—Have you any idea about when it was, in the course of years? A.—Fifteen years ago, I should think, at a rough guess.

Q.—Well, that is about 1860? A.—I think it was before the war, though; it might have been twenty years, for aught I know.

Q.—Well, Sir, I suppose that all persons who have espoused the cause of woman's suffrage may in one sense be regarded as on the side of advanced opinions? A.—In so far as that is true, I was on that side.

Q.—I inquired whether you held advanced opinions on that subject? A.—Oh, there was only one opinion on that subject.

Q.—On the subject of women's rights and women's suffrage, there was but what? A.—But one opinion on that subject, and the great world regarded those who held it as being in the advance; I suppose it may be naturally called—popularly called—an advanced opinion.

Q.—Then, from the best faculty that you have of understanding my question, you think so—that you were in favor of the advanced opinions on that subject? A.—Well, Sir, I was in favor of woman's suffrage, if that is an advanced opinion; it is a pretty old one now.

Q.—Now, with whom, among the votaries or champions of that opinion, did your espousal of it bring you in connection? A.—Chiefly with Henry Ward Beecher and Mrs. Elizabeth Tilton, and all the other advocates that came up afterward and in due order.

Q.—You had known both those persons before, hadn't you? A.—Before what?

Q.—Before you went into this movement? A.—Yes, Sir; I had known them from childhood.

Q.—Well, now, with what other persons did your association or espousal of this cause bring you into connection? A.—Well, Sir, I should think, sooner or later, in association more or less intimate with a thousand writers and speakers, advocates and thinkers—good men and women—who held that view.

Q.—All eminent? A.—No, Sir; there are not a thousand eminent people in the country.

Q.—Well, will you give us the names of some of the more eminent and noticeable of them? A.—Gen. Butler was one, Chief Justice Chase was another, Elizabeth Cady Stanton was another, Isabella Beecher Hooker was another, Lucretia Mott was another, Wendell Phillips was another, William Lloyd Garrison was another, Anna Dickinson was another. Why, Sir, if I should write that catalogue it would take me a long time.

Q.—Is the name of Miss Anthony among them? A.—I have forgotten whether I mentioned her name or not; I ought to have done so, at all events. No such list would be complete which left out her name.

HIS ADVOCACY OF THE CAUSE.

Q.—Now, through what journal of public things, or the press, or otherwise, did you advocate that cause? A.—Through the *Independent*, through all the journals that I have had any connection with, and on the public platform.

Q.—Did you publish tracts also? A.—Oh, yes. Down to a late time.

Q.—Now, Mr. Tilton, at what period, if at all, did you entertain discussions in any of the public prints of which you had control, of the new social opinions or views in regard to the regulation of the social connections of the sexes? A.—Well, Sir, will you tell me a little more distinctly what you mean by social opinions?

Q.—I do not wish to give it opprobrious names, nor do I wish to characterize it in part—but the opinion that concerned greater freedom in respect of marriage, and its dissolution and its maintenance only during continued attraction or affection, and not permanently after those sentiments had changed? A.—Well, Sir, I think that the chief denunciations which I made against looseness in the marriage relation have been published since Mr. Beecher invaded my house in 1870. My attention had not been specially called to the subject before that. I afterward published some tracts.

Q.—Now, will you give us the time in which you had given place to discussions in any journals that you controlled of the opinions in favor of liberality of divorce, and the looseness of marriage? A.—Yes, Sir; the date of that began with Mr. Beecher's performance of the Richardson and McFarland marriage in the Astor House; I defended him on that in the *Independent*, and after I had established the *Golden Age*, I advocated liberality of discussion in favor of liberty of divorce. [Continuing after a pause,] Can you oblige me, Mr. Evarts, with the date of the performance of that marriage?

Mr. Evarts—I don't know anything about it, Mr. Tilton, if you ask for information.

The Witness—I wished to ascertain the date.

Mr. Beach—He asks the date—

Mr. Evarts—I am not under examination about things I have not taken any part in.

The Witness—I took no action in the matter.

Mr. Evarts—I do not wish to have these discussions of things that are entirely outside of the case.

[Mr. Shearman then produced a large bound book, afterward shown to be a file of the *Independent*, and held it before the witness.]

Mr. Beach [arising and going to Mr. Shearman's assistance]—I will help you, Mr. Shearman. [Laughter.]

Mr. Shearman—Thank you, Sir.

Mr. Evarts (after a pause)—I beg your pardon; I did not know you had got it in position. Mr. Tilton cannot see it so far off.

The Witness—I have seen it, Sir.

Mr. Evarts (to the witness)—You have looked at that article and the date of that issue of the paper? A.—Yes, Sir; I see it.

Q.—You were the editor at that time, were you not? A.—Yes. Sir.

Q.—That aticle was published as the leading editorial of that day? A.—Yes, Sir; I see it is.

Q.—Was it written by you? A.—It was, Sir.

Mr. Shearman—I read, if the Court please, from the *Independent* of Dec. 1, 1870. It reads as follows:

### TILTON'S VIEWS ON LOVE, MARRIAGE, AND DIVORCE.

*The Independent*—THEODORE TILTON, Editor; HENRY C. BOWEN, Publisher and Proprietor. New-York, Dec. 1, 1870.

LOVE, MARRIAGE, AND DIVORCE

To love, to love! This is to live! So sang a poet of France. If this is French sentiment, it is also apostolic philosophy. "He that hath loved another," said St. Paul, "hath fulfilled the law." And, as if to give to this truth a stamp of universal currency, he recoined it into the Golden text. "Love is the fulfilling of the law." This is another way of saying that love is the supreme function of life.

But what is love? Who has analyzed it? Of what gossamer is it woven, or out of what adamant is it hewn? What are its quintessential elements? And especially does it outlive life, or must it die, with death?

The poets sing a various song on this wondrous theme—jarring their harps to a strife of clashing sounds. Here, for instance, is William Morris making Andromeda in "The Earthly Paradise" say to Perseus.

"Oh, love! To think that love can pass away!
That soon or late to us shall come a day,
When this shall be forgotten!
E'en this case, that makes
Now forget the high God's
Bliss, and sons of men
With all their miserie."

And, furthermore, in the same poem:

"Love while ye may, if twain grow into one;
'Tis for a little while—the time goes by.
No hatred 'twixt the pair of friends doth lie;
No troubles break their hearts; and yet, and yet
How could it be? We strove not to forget.
Rather in vain to that old time we clung;
Its hopes and wishes round our hearts we hung.
We played old parts; we used old names. In vain.
We go our way, and twain once more are twain."

But as if to give a sweet lie to all this doleful prophecy, Mrs. Browning, the St. Cecilia of her sex, exclaims:

"Say never, ye loved *once*,
God is too near above, the grave below,
And all our moments go—
Too quickly pass our souls for saying so.
* * * * * *
LOVE strikes one hour. Love! Those never loved
Who dream that they loved once.

To which let us add the following snatch from a German song:

"Child, tell me how love cometh?
It comes unsought, unsent;
And tell me how love goeth?
That was not love that went."

Now, if it could be settled that human love is in its essence immortal, that death does not cut nor the grave rot the silken cord, then, in approaching the problem of marriage, we could definitely say: There is but one bond, and it knows no breaking. It binds two souls for time and eternity, so that nothing, either in this world or the next, can divide them from each other any more than either can be divided from itself. It creates and justifies the instinctive exclusiveness—the unselfish selfishness—whereby love claims its own and not another's, yearning only for its only mate. It gives a reason for one of the prejudices, which many hold without reason—we mean the building of a second marriage like a monument on the sepulchre of the first.

But the common voice of mankind replies, "Marriage is dissolved by death." Now, of the soul's dearest passion, this may be a right or wrong philosophy. But, accepting this universal opinion as correctly interpreting our inherent nature, the question arises, since marriage is dissolved by death, is it dissolvable by anything else. If so, by what?

To answer what breaks, we must inquire what makes, the marriage bond.

The Divine Moralist who preached the Sermon on the Mount, when he said, "Be ye therefore perfect, even as your Father in Heaven is perfect," held up an ideal of human character impossible of mortal attainment—the despair of flesh-clogged souls. In like manner, in the few and fragmentary notes which His biographers have saved of His utterances on marriage, He holds up an ideal, the highest ever conceived, beautiful to struggle after, but impossible to attain. He did not rest marriage on the mere legal union of two persons, whom the law uniting enacts to be one flesh; but, transcending this tie and hallowing it, he taught a spiritual union, which should be so subtle in its willing bond, so exclusive in its mutual allegiance, and so reverent of its married mate, that "the brief indulgence of a single vagrant fancy" was an infidelity to such wedlock. Who can abide this test? Judged by so immaculate a morality, "there is none good; no, not one."

WHEN LOVE DEPARTS, MARRIAGE CEASES AND DIVORCE BEGINS.

Nevertheless, as the only just ideal of human character is, after all, the divine, and nothing short of it, so the only right ideal of a true marriage is the impossible—the perfect picture which Christ sketched. But as there is an approximate realization of this character, notwithstanding the weaknesses of human nature, so also there is a reasonable approach to this marriage notwithstanding the vicissitudes of human love. Thus a husband and wife, if they have rich hearts and generous minds—if their sympathies interflow like confluent streams—may love each other with such devotion, with such exaltation, with such coronation, as to attain to the royal estate which Shakespeare called "a measureless content," realizing in each a faithfulness of love that could not possibly betray or deceive its other self; a love so infinite that it could contain only its own fullness; a love which, like the sea, could never depart out of its own bosom.

Now this is the love, and the only love, that spiritually constitutes marriage; and marriage, however legally enacted, yet without this "spirit of unity" to create "its bond of peace," can be, under Christ's theory, nothing but divorce.

The greatest question which has been propounded to modern society is, What is to be the legal status and what the social tate of persons who find themselves married, but not mated? The common and pusillanimous answer is, to remain in a bondage which it is ostracism to break. But a just moral sense, piercing a sham morality, which is only another name for custom, asks, What excuse can be given to God and to virtue for keeping two human beings in an enforced union which each knows to be degrading to both their souls? A public opinion which compels the juxtaposition or which forbids the disconnection of an unmated pair, who are tied, not knit, chained, not wedded, violates the ethics of Him who, preaching from the mountain top of morals, taught so terrible a distinction between love and lust. Marriage without love is a sin against God; a sin which, like other sins, is to be repented of, ceased from, and put away. No matter with what solemn ceremony the twain may have been made one, yet, when love departs, then marriage ceases and divorce begins.

This is the essence of Christ's ideal. To say that He granted divorce only for a gross and fleshly crime is to forget that He called the eye a paramour and the heart a wanton's bed. Even granting that one of His speeches seems to call adultery the only divorce, yet in His other maxims, in illustrating what He meant by adultery, He set forth an ideal of so faithful a fidelity that most marriages, estimated by this standard, would be proved adulterous, and be pronounced by His withering judgment null and void.

How shallow, then, it is to say with the Roman Church that there shall be no divorce, not even for fleshly lust; or with the Episcopal, no divorce except for just this, and this only; or, with the Presbyterians, no divorce except for this and for desertion; or with the Methodist Missionary boards, no divorce except for these and for heathenism; or with the civil laws of some of our States, no divorce except for a few of the more common and hideous offenses which daily report themselves to the courts.

WHATEVER NULLIFIES MARRIAGE JUSTIFIES DIVORCE.

John Milton was right in declaring (we do not quote his words, but only his meaning,) that whatever nullifies marriage justifies divorce. With faint echo, we repeat the same truth—which to our mind seems so true as to be fundamental. Nor, in following Milton, do we wander in a dangerous path. This man was no loose philosopher—no blasé gallant—no free-lover. For, though his voice thundered for freedom of divorce, it pleaded, with sweet eloquence, for strictness in marriage. Learning, as well as we may from so illustrious a teacher, this journal, with its liberal views on divorce, remains an austere moralist on marriage. It utterly spurns, rejects, and repudiates the doctrine of free love. It stands at the very antipodes of this philosophy. It holds that a man and woman whose mutual love is not sufficient to inspire mutual fidelity, prove thereby that they have never known the fullness, purity, and all-sufficiency of the one love which makes marriage sacred, and which keeps it so. The only marriage worthy to be called by the name of that great sacrament is the exclusive union of one with one, not the Patriarchal union of one with many, and not the modern *sub rosa* union of many with each other. Marriage, if it be marriage at all, is the unswerving faithfulness of husband and wife, admitting no intervening mistresses for the one, and no supplemental paramours for the other.

A NATION WITHOUT DIVORCE MUST BE WITHOUT VIRTUE.

But this idea (and this idea cannot but be true) carries with it, as its logical sequence, (and this, too, cannot but be true,) the irresistable conclusion that marriage, if broken, and whether broken by the body or soul, is divorce. Infidelity of the body is not so great a sin against marriage as the infidelity of the soul. If there is divorce for the one, there should all the more be divorce for the other. Human society needs, for its purification, a more chivalrous fidelity to marriage, a more honorable respect for divorce. A nation without marriage would be without civilization. A nation without divorce must be without virtue. In France the law tolerates no divorce, and so the people practice universal license. In Prussia the law opens seven gates of exit from marriage, and so the fashionable standard of morality is almost puritanic.

Now, the proverb warns us that "history is philosophy teaching by example." Apply this philosophic warning to our own land. Our American society is covering itself with a growing mildew of free-love. This corroding fungus is everywhere so plain that all eyes are beginning to see it. What is the cause? And what the cure?

The cause is twofold: The first, in the injudicious and lamentable haste with which the law is invoked to tie a knot between two persons who only fancy, but have not proved their fitness, for each other; and second, in a public opinion which, forbidding the dissolution of such ill-made contracts, forces imprisoned spirits, fretting at a captivity from which they cannot openly break, to take covert refuge in secret sin.

The cure is likewise twofold: First, in a higher and holier idea of marriage—including the chastity which should accompany it, the devotion which should fasten it, and the love which should hallow it; and, next, in public opinion, expressed authoritatively in our civil statutes, enacting that whatever, in point of morals, nullifies marriage, should in point of law, autherize divorce.

God grant that there may come a time in the legislation of our country when the laws of the land shall be founded on the facts of the soul!

A PAPER NOT IDENTIFIED.

Mr. Evarts, (handing a paper to the witness) —See if you recognize that? A.—I should have to compare that with the original; it strikes me on the first glance that it is a garbled copy; I have not read the original since it was first printed; I can produce it to you.

[Mr. Evarts here spoke in an undertone to witness.]

The Witness—It is an imperfect copy; I can procure for you, though, the correct copy, if you desire it.

Mr. Evarts—Well, we will. That is marked for identification, as a paper shown to the witness.

Mr. Beach—It is not identified.

Mr. Evarts—Marked for identification as a paper shown to the witness.

Judge Neilson—Unless he produces the other—the correct copy.

Mr. Morris—It has not been identified yet.

Mr. Beach—It should not be identified as a paper proved.

Mr. Evarts—We do not mark the paper as identified before your Honor, but as a paper handed to the witness.

Judge Neilson—So that it may be held for the production of the original.

Mr. Evarts—Will you be able to produce that in the morning or after recess? A.—The original was printed in the *Golden Age*, Sir, and if it will be any pleasure to you to have it, I will ask the gentlemen who now own that paper to procure a copy or lend you the file.

Mr. Evarts—This professes to be an entire poem. [Handing a paper to witness.]

Mr. Tilton—Aug. 1, 1873—this is the date of the advertisement.

Mr. Evarts—Yes, it only shows that that is about the date of the newspaper.

Mr. Fullerton—What newspaper is it?

Mr. Evarts—I did not ask him.

The Witness—What do you wish to ask?

Mr. Evarts—I only ask you whether you remember about the date of the publication. A.—No, Sir, but I can procure for you the original, and the paper—

Q.—And the date? A.—Which contains it; yes, Sir.

### HEARTH AND HOME ON THEODORE TILTON.

Mr. Evarts—The date it was written. [Hands witness another paper.] See if that was written by you? A.—No, Sir. The first article has a connection with the *Hearth and Home*.

Mr. Beach—What was the question?

The Witness—He asked me whether the first article was written by me. I say no; the second article was written by me.

Mr. Evarts (resuming the examination)—The first was taken from a newspaper, and you wrote underneath it a reply? A.—A reply, yes, Sir.

Q.—This is Oct. 14, 1871? A.—Perhaps I ought to inform Mr. Evarts that that article was one of the numerous devices—

Mr. Evarts—No; I object.

The Witness (continuing)—That Mr. Beecher and Mr. Moulton—

Mr. Evarts—No, do not answer when I object, Mr. Tilton. Wait until I ask you, Sir.

Judge Neilson—Wait until counsel interrogates.

Mr. Evarts there will be an opportunity for you to explain on the re-direct examination anything you wish.

The Witness—I do not care to make the explanation.

Mr. Evarts—Very well, then.

Mr. Shearman—I read from the *Golden Age* of Oct. 18, 1871. There are two articles. One is written in reply to the other. I read only a part, but I think the reply is enough to explain the first. Do you wish me to read the whole of what Mr. Tilton says?

Mr. Shearman then began to read as follows:

In Memoriam—Theodore Tilton—

Mr. Evarts—This is from the *Hearth and Home*?

Mr. Shearman—It is printed so—"from the *Hearth and Home*, Oct. 14, 1871." (Resuming the reading of the article, as follows:)

IN MEMORIAM—THEODORE TILTON.

*From Heqrth and Home, Oct. 14, 1875.*

It is with peculiar sadness that we write these words. They recall the vision of the young man who sprang all at once into public favor, giving such evidence of genius as few men have furnished. Writing double-leaded leaders full of force and fire, singing songs full of sweetness, uttering orations full of wit and eloquence, his sunny looks wore at once the "triple crown of editor, orator, and poet." Succeeding to the vacant chair of Beecher, he more than filled it. He introduced a new era in religious journalism. In those golden days he made his paper all that the name *Independent* could mean. It bowed neither to sect nor party, and its words scorched a villain in the ranks of its own friends as fearlessly as they did an opponent. The paper under his editorship scorned to follow its party. It led. Like a new knight, the gallant young journalist uttered his battle cry and rode bravely to victory. Men laughed at him, but they followed him. He had a noble ideal of journalism. He wrote witty things against an opponent, but did not use his columns to gratify personal spleen. And when the worst attacks were made upon him he said to a friend, "I must not let these things sour me. I cannot afford to let my own temper become spoiled. And I want to leave journalism better than I found it." His enemies said that he greatly overestimated his own position. Perhaps he did. But there was no wronged or down-trodden person appealed to him in vain.

He was a singer of sweet songs—songs full of brave catholicity of spirit, full of deep religious feeling, full of high moral sentiment—songs full of lofty patriotism. Nothing shows a man's freshness of heart more than his ability to please children. And from one ocean to the other little children sang with him that most perfect nursery rhyme which begins:

"Baby bye,
Here's a fly:
Let us watch him, you and I.
How he crawls
Up the walls,
Yet he never falls!
I believe with those six legs,
You and I could walk on eggs!
There he goes
On his toes,
Tickling baby's nose!"

In times of patriotic fervor his great "Bell Roland" rang out with no doubtful peal. The religious heart was touched with the sad minor key of such poems as "The Crown of Thorns," in which there is devoutness enough of feeling and wittiness enough of conceit to make it worthy of Jeremy Taylor. There is a solemn, genuine faith in his words:

"So in my heart of stone
I sepulchre thy death,
While thoughts of thee, like roses blow,
Bring sweetness in their breath.

Arise not, Oh my dead!
As He whom Mary sought,
And found an empty tomb instead,
Her spices all for naught.

Oh Lord! not so depart
From my enshrining breast
But lie anointed in a heart,
That by Thy death is blest.

Or, if Thou shalt arise,
Abandon not Thy grave,
But bear it with Thee to the skies,
A heart that Thou shalt save."

And then he wrote "A Layman's Confession of Faith," every line of which is worthy of quotation in an obituary such as this. There is one passage in it, which in this day of Woodhulls and free-love advocacy we cannot forbear quoting:

"I love one woman with a holy fire,
Whom I revere as priestess of my house:
I stand with wondering awe before my babes,
Till they rebuke me to a nobler life."

Never did this young Apollo write more fervently and gracefully than when he spoke of his wife and his home, and it is gratifying to know that his gallant devotion, so often expressed, so gracefully wreathed in his dedication of his poems to the sweetness and sanctity of home life, was an inspiration in the same direction to his crowd of admirers.

It is with inexpressible sadness, for we admired and loved him, that we bring this memorial article to a close. Can it be possible that we shall no more hear that brave voice pleading the cause of right and duty—that we shall no more hear that poetic gift breathing out sweetness, devoutness, and purity of feeling? Can it be that he who struck down, without remorse, his best friend, when he thought that friend recreant, shall not live to speak now against those who would defile the sanctuary of the home to which he was so devoted, teaching their doctrines of devils as a cloak to their lust? What would we not give for one stroke of that old scimeter at those who put darkness in the place of light? But we must bear our sorrow, mournfully reflecting on the light so brilliant that has gone out in darkness so utter.

We know there is a pseudo-Tilton who uses the graces of rhetoric to gild the character of a woman about whom it is enough to say that she edits a paper abominable in morals and coarse in its utterances. There is a Tilton who writes insane things about spirits of ancient Greek orators inspiring the meretricious rhetoric of a woman who advocates free love. There is a Tilton who sees a Golden Age in French Communism. But that is quite another affair. We have hastened to pay our tribute to the memory of Theodore Tilton, ere this later and counterfeit Tilton should cause the world utterly to forget the brave deeds of Theodore Tilton the lamented.

MR. TILTON'S REPLY TO THE ABOVE.

*To the Editor of the Hearth and Home:*

MY DEAR SIR: I am fond of wit, even at my own expense. Your clever satire of last week, speaking of me as one dead, and giving me (as Capt. Luce of the Arctic had) an opportunity to read, before I die, the estimate which my fellow countrymen will put upon me after my death, has almost tempted me into sending you a retort in kind—jest for jest.

But I remember a story told of Dr. Williams and Dr. Emmons—two old Congressional clergymen whom you and I reverence more for their characters than their creeds.

They agreed with each other that as soon as either should die the other should preach the funeral sermon. Dr. Williams shortly afterward retired from the ministry, and, having nothing to do, composed with ornate pen a flowery and funereal tribute to his friend—under some such heading, I suppose, as "In Memoriam—Dr. Emmons." When the brilliant panegyric was finished, its author carried it to Dr. Emmons (just as you sent me last week's *Hearth and Home*) and treated him (as you treated me) to an ante-mortem monument to undeparted worth. The strain of compliment being high, Dr. Emmons, who thought he was getting more praise than he deserved, interrupted the reading by saying, "Is there not too much encomium?"—to which the reader suddenly replied, "Hush, Dr. Emmons, you are dead!"

But Dr. Emmons was not dead to the fine flattery of his friend, nor am I to yours. Furthermore, as in my case, the praise is tempered with blame, the latter, perhaps, being better deserved than the former, I will substitute for my first thought, which was fun, a sober second thought, full of serious intent.

HE IS NOT AN ADVOCATE OF FREE LOVE.

If, therefore, amid the roses which you have heaped upon me I can detect the real thorns or exact points of your criticism, they seem to be,

First, that I am an advocate of free love.

No, my friend, you are wrong in this supposition. When and where have I ever advocated "free love?" In what writings or speeches of mine have you ever seen any vindication, or anything but condemnation, of the idea popularly known as "free love?" I have characterized this phrase as "a beautiful term designating a revolting thing." The original coiners of the word flung it as a reproach at certain socialists; and they meant by it the promiscuous intermingling or commerce of the sexes—an idea which, to me, is an affront to our higher human nature—a degrading of men and women to a level with a lower world. "Free love," thus defined and practiced, is treason to good morals; and I am therefore opposed to it or to any other baseness.

But, in justice to a number of noble reformers (to whom more honor will be rendered in the next generation than they can look for in this,) I ought to say that this term is used by them in a technical sense, as meaning "love, free from the civil law;" or, in other words, that marriage and divorce should be (at least to a great extent) removed from the realm of legislation and left (as religion is left in free countries) to be governed by its own higher law. If this definition shall be popularly and permanently attached to the term "free love"—then, as I thoroughly believe in this idea, I shall cheerfully accept this designation.

HIS OPINIONS ON MARRIAGE AND DIVORCE.

My opinions on marriage and divorce are the same now as when I first formed them; which was during my college days, by reading the writings of John Milton. I teach no different doctrines now from those which I first faintly sounded on entering (somewhat prematurely) into public life. Milton's essay on divorce—which I studied for style and logic, and with a boy's natural repugnance for the whole subject—became, by that study, as much a part of my intellectual constitution as Blackstone's lectures are to a lawyer. If that great essay—by one of the first minds of the world—has ever been answered, I have not seen the answer. True, my friend Mr. Greeley sometimes overthrows it with a hasty paragraph or two, but it will live after the *Tribune* is forgotten.

Secondly, you chide me for vindicating a lady who has suffered more private sorrow and more public obloquy than fall to the lot of ordinary mortals. This criticism I accept with pride. When I know a woman well, and believe her to be honorable and pure, and she is attacked by "the mob of gentlemen who write with ease," and is reviled by slanderers who strike at her from the safe shelter of an anonymous press, I hope I shall never be coward enough to withhold my own poor pen from her defense. I have an extensive acquaintance among public men and women of our time, including many whom I believe to be uncommonly pure and white in their moral and social character; for instance, Lucretia Mott, Horace Greeley, Elizabeth Cady Stanton, Charles Sumner, Harriet Beecher Stowe, Wendell Phillips, Laura Curtis Bullard, and others; and among these—the peer of any in all that constitutes personal purity of life—I place Victoria C. Woodhull. I speak from knowledge; I weigh my words; I mean what I say, and I stand by it. But I am ashamed of my many brethren of the press who, without evidence, without provocation, and without inquiry, have made haste to strike a woman whose private life is a white lily of blamelessness, and who, if altogether a fanatic, is also altogether a Christian.

HE HAS NO SATISFACTORY THEORY ON SPIRITUALISM.

Thirdly, you call me a Spiritualist. Well, so was President Lincoln. Why should you assassinate me on this account? There are more Spiritualists than Methodists and the one sect has just as much right to its opinions as the other—at least, in a country which professes to tolerate all religions. But the truth is, that although I have seen many marvels of so-called spirit manifestations, I have no satisfactory theory on the subject, and I know too little of Spiritualism to write with authority concerning it, or even to bear the honorable name of membership in its fraternity. But I think I have enough fairness of mind to write a biography of Bishop Simpson from a Methodist point of view, or of Elder Evans from a Shaker point of view, or of Mrs. Woodhull from a Spiritualistic point of view—even though I am not a Methodist, or Shaker, or Spiritualist.

HE PROCLAIMS HIMSELF A COMMUNIST.

Fourthly, speaking like a Paris Prefect of Police, you denounce me as a Communist. Yes, I am. I accept your indictment as I would a rosette, and wear it in my button-hole. I never saw Henri Delescluze, but he was a man after my own heart; and I mourn him as I would any other hero or martyr. Communism is not agrarianism, as many people ignorantly imagine; it is republicanism and Americans ought everywhere to honor it. The Commune offered to France what the Republic refused it—namely, local self-government. Among all the semi-successful frauds of our time, the greatest is the pretended Republic of which Thiers is at the head to-day, and of which I trust he will be at the foot to-morrow. The atrocities in Paris did not come from the Commune, but from Versailles. It was the Commune, not the Republic, that should have triumphed. A few writers and speakers among us have had the courage to applaud the Commune; such as Wendell Phillips, Charles A. Dana, George Wilkes, and John Russell Young; and I rejoice to remember that not one of these clear-headed men was ahead of myself, either with voice or pen, in vindicating the noblest attempt at political liberty which Europe ever saw or crushed. But the Commune will yet arise and reign! God speed it!

In conclusion, let me add that I have never been a contributor to the *Hearth and Home*, nor do I know that any of my writings (except your last week's quotations from the poems of my "green and salad days,") have ever been reprinted in your columns; but if you will give me a brotherly hint that I shall be welcome to the space of a second letter, for the purpose of stating my views on the social questions now stirring the public pulse, I will gladly enable your readers to judge for themselves whether these views are right or wrong.

Meanwhile, for my own "hearth and home," (to which you so kindly allude,) I send to yours (at which all the public find a weekly welcome) the fraternal greetings of yours, forgivingly,

THEODORE TILTON.

Mr. Evarts—My learned friends say that this effusion may be read now, and can be read now, and can be corrected afterward if it is found to be incorrect:

FRENCH WITH A MASTER.

A NEW POEM BY THEODORE TILTON.

"Aimer, aimer, c'est a vivre"—
To love, to love, this is to live.

Teach you French! I will, my dear!
Sit and con your lesson here.
What did Adam say to Eve?
Aimer, aimer, c'est a vivre.

[illegible]
[illegible]
[illegible]
Aimer, aimer, c'est a vivre.

Sleeve, I said; but what's the harm
If I really meant your arm?
Mine shall twine it, (by your leave,)
Aimer, aimer, c'est a vivre.

Learning French is full of slips;
Do as I do with the lips;
Here's the right way you perceive,
Aimer, aimer, c'est a vivre.

French is always spoken best
Breathing deeply from the chest;
Darling, does your bosom heave?
Aimer, aimer, c'est a vivre.

Now my dainty little sprite,
Have I taught your lesson right?
Then what pay shall I receive?
Aimer, aimer, c'est a vivre.

Will you think me over bold
If I linger to be told
Whether you yourself believe
Aimer, aimer, c'est a vivre?

Pretty pupil, when you say
All this French to me to-day,
Do you mean it or deceive?
Aimer, aimer, c'est a vivre.

Tell me, may I understand,
When I press your little hand,
That our hearts together cleave?
Aimer, aimer, c'est a vivre.

Have you in your tresses room
For some orange buds to bloom?
May I such a garland weave?
Aimer, aimer, c'est a vivre.

Or if I presume too much
Teaching French by sense of touch,
Grant me pardon and reprieve,
Aimer, aimer, c'est a vivre.

Sweetheart, no! You cannot go!
Let me sit and hold you so!
Adam did the same to Eve,
Aimer, aimer, c'est a vivre.

The reading of the poem was marked at several passages with laughter, and at the close there was general merriment and some clapping of hands, which, as usual, promptly brought down the Judge's gavel.

Judge Neilson—That is quite enough, gentlemen, quite.

Mr. Morris—I think we had better accept that as the original.

Mr. Fullerton—Yes, for fear the original is not as good, we will accept that.

Mr. Morris—We accept that as the original.

Mr. Fullerton (*sotto voce* to Gen. Pryor)—There is not an indelicate word in it.

Gen. Pryor—No, not one.

Q.—Look at this article, [handing witness a copy of the *Golden Age*,] the article marked with pencil there, and say if it was written by you and published in your newspaper? A.—Yes, Sir. I beg your pardon; did you call my attention to any special article?

Q.—I ask you with respect to the article that has some pencil marks drawn against it—against some portions of it? A.—Yes, Sir; I wrote that; my name is signed to it.

### TILTON'S REJOINDER TO MR. GREELEY.

Mr. Shearman (rising to read the article)—It is an article entitled "Mr. Tilton's rejoinder to Mr. Greeley," published in the *Golden Age*, Sept. 9, 1871. It is a long article consisting of eight paragraphs; as only one of them is material to this point, I will only read that.

Mr. Evarts—The others relate to other topics.

Mr. Fullerton to Mr. Shearman—Will you read the article to which this is a reply?

Mr. Shearman—It is not published in this paper.

The Witness—Yes, it is published in that paper.

Mr. Shearman (peering over the paper through his spectacles)—Oh, is it?

The Witness—Yes.

Mr. Shearman—(about to commence reading)—We read the third paragraph.

Mr. Morris—Will you read Mr. Greeley's letter first?

Mr. Shearman—No; it is not necessary.

Mr. Beach—I think it is the rule, your Honor, that where an answering letter is read the letter to which it is a reply shall be read also.

Judge Neilson—I think that is the rule.

Mr. Evarts—But, if your Honor please, we understand exactly what the rule is, and all that can be claimed by my learned friends is that they have a right to read any part of an article to which this is a reply; but they cannot make us.

Mr. Beach—I differ from my learned friend as to what is the rule.

Mr. Evarts—Well, we had a precedent for it in the early part of the trial from the other side.

Mr. Beach—No, Sir; you are mistaken.

Judge Neilson—I have had occasion to say that when one party put an article in they were at liberty to read only a part of it, but it was all admitted in evidence, and the opposite side might read what further part they thought proper.

Mr. Fullerton—Yes, but, your Honor, that does not present this question.

Mr. Evarts—How does it fail to present this question? Suppose it is all in, are we therefore obliged to read it all? Is not that exactly the question that your Honor ruled upon—that either party may read exactly what they choose to read, and if one party fails to read all of it the other may read what has been omitted.

Mr. Fullerton—The difficulty in this case is that the answer is incomprehensible without the article to which it is a reply.

Mr. Evarts—We do not understand that we are obliged to read the whole of the article to get at the only point in it that is important to us, to-wit, the reply.

Judge Neilson—I think the whole must be admitted as put in by you, and you may read such parts now as you think proper, and they can afterward call attention to other parts if they choose. I think that will answer. It may burden you with a subsequent reading.

Mr. Fullerton—It won't be any burden to me to read anything that Mr. Tilton has written.

Mr. Evarts—This discussion between these two gentlemen, Mr. Greeley and Mr. Tilton, which was somewhat elaborate, comprehends other subjects, as I understand. I have never seen the letters before, and we have found a paragraph of Mr. Greeley's letter that seems to relate to this topic, and if my learned friend will read that—

Mr. Tilton—The whole subject was—

Mr. Evarts—Well, well.

Mr. Beach—This is offered as an admission or statement made by the plaintiff. Mr. Phillips says:

"If a person in making an admission against his own interest refers to a written paper without which his admission is not complete, the contents of that paper should be shown before the admission can be used as evidence against the party."

Mr. Evarts—Shown to the witness?

Mr. Beecher—No, shown to the court and jury, who are to examine and construe it.

Mr. Evarts—That is what your Honor ruled on, that it gives the other side the right to read any part of a paper part of which we read, but it is not the rule that we are obliged to read everything which they have a right to read; certainly it has not been applied to this case.

Judge Neilson—We will apply that now, leaving the other side to read anything as yours that they think proper.

Mr. Shearman—I read now an extract from Mr. Greeley's letter, including the whole of one separate paragraph. The paragraphs are numbers one, two, and three.

Mr. Tilton—Will you, Mr. Evarts, do me a personal favor? Will you read the article yourself?

Mr. Evarts (smiling)—That would be a contempt of Court, I think.

Judge Neilson (to Mr. Shearman)—Which part do you read now?

Mr. Shearman—From the paper of Sept. 9, 1871, the first paragraph of Mr. Greeley's letter.

HORACE GREELEY ON FREE LOVE.

Mr. Shearman then read from Mr. Greeley's letter as follows:

"You ask me what I mean by 'free love?' Let me illustrate: Here are a husband and wife, each fifty years old, who have lived in wedlock a quarter of a century, and have had six or eight children, of whom half survive. The pains and cares of maternity have nearly worn out the wife, while the husband is still in the prime of manly vigor and strength. He has tilled a wider sphere and enjoyed better opportunities for mental culture than she has, and feels himself her intellectual superior. Among his acquaintance is a younger, fairer, fresher woman, not so richly dowered with worldly wealth, who admires and is admired by him, who in fact is willing if invited to become his 'affinity,' and he is more than willing that she should. If they 'take up' with each other, their arrangement, or whatever you please to call it, is just what I execrate as 'free love.' You know that such alliances exist. I feel that they are abhorred of God, and a chief cause of human degradation, family disruption, and general wretchedness. In short, I hate the man who has sworn to love and cherish one woman till death, *not free* to love another while that woman lives and strives to fulfill toward him the duties of a loving wife. Hence I intensely hate 'free love,' and I hate all inculcation that a marriage may be rightfully dissolved except for a flagrant, deliberate adultery, while husband and wife both live."

Mr. Shearman—I now read the third paragraph of Mr. Tilton's reply, which is the first place in his letter in which this subject is referred to.

MR. TILTON' REPLY.

"A just inference from your letter is that I advocate free love. On the contrary, I stiffly oppose it. The latest bulletin of Mr. Stephen Pearl Andrews castigates me because I hold that the heart's ideal is monogamic marriage—the supreme love of one man for one woman through life and (I hope) beyond death. But this is only my own view. I do not judge for others. Furthermore I hold that love, and love only constitutes marriage; that marriage makes the bond, not the bond the marriage, and that as the contract is to 'love and honor,' so when the love and honor and the contract dissolves, the marriage ceases. I cheerfully relieve Mr. Henry M. Blackwell and other martinets in Boston, by frankly acknowledging that I differ in these views from most other women suffragists, but I am willing to take all the obloquy which this difference invokes on the few who are right from the many who are wrong. I would no more permit the same law to handcuff me as a slave to a master on a plantation; there are higher laws than civil statutes, and I am a rebel against the State's too impertinent interference between man and wife. Love should be like religion, free from mandate by the civil law. Now you may strike me for saying this, but the next generation will gild this sentiment with fine gold. As Kossuth said, 'I can wait.'"

The article is marked in evidence D 51.

Mr. Fullerton—That is not all on the subject; there is another paragraph on the subject.

Judge Neilson—It is suggested, Mr. Shearman, that there is something else—that there is a separate paragraph—on that subject.

Mr. Fullerton—It is our right to read it now if they do not.

FURTHER QUOTATIONS FROM MR. TILTON'S REPLY.

Mr. Shearman—I now read the fourth and fifth paragraphs:

"You say, 'I hate all inculcation that a marriage may be rightfully dissolved except for flagrant, deliberate adultery, while husband and wife both live.' I am ashamed of such a sentiment from your pen. Thousands of good women like Mrs. McFarland have obtained divorces from drunken and beastly husbands, not on account of adultery, but of sottishness and cruelty. By what right, divine or human, shall you remand these emancipated women to the loathsome embraces of men from whom they have fled in fear of their lives?

Thousands of women, appealing to merciful and humane courts, have obtained divorces because husbands have deserted them, or strangled them, or starved them, or otherwise wrongly treated them. Why will you cruelly affront all womankind by saying to each one of these suffering women, 'Your divorce is stripped of all moral sanction, and I point at you the finger of obloquy because you have asked the law to declare you out of the jaws of death and out of the gates of hell?'

Par. 5. "You have instanced a married pair who, after a quarter of a century of wedlock, exhibit the husband in his prime and the wife in her decay. You say, 'He has filled a wide sphere and enjoyed better opportunities for mental culture than she has and feels himself her intellectual superior.' What an innocent confession you here make of your own damning theory of marriage! Damn a woman to be man's inferior from the very beginning of married life, and what can you expect her to be at the end of it? Why does a woman, after twenty years of wedlock, show more physical and mental dilapidation than a man? It is because, during these years, you and your fellow thinkers sentence her to be man's subordinate, not his equal—his servant, not his mate. Why should 'the pains and cares of maternity wear her out,' except that you have enacted a common law of marriage which either tyrannously forces, or tacitly expects, a woman to bear more children than she wants? Why should she be intellectually stupid and empty, except that all her life long you and the *Tribune* have shut her out from her husband's opportunities? Why should her husband have 'a wider sphere' than hers, except that you and he have conspired to crowd her into a narrower one? Why should he enjoy better opportunities for mental culture than she, except that you have written and published your threats that even if your own daughters should attempt to fit themselves for something higher than household employment, or, in other words, should try to rise to the level of their father's genius, you would step down like Jacob sorrowfully into the grave? I frankly assert, because I solemnly believe, that the young men and women who marry to-day and who derive their notion of the marriage relations from such teachers as you will inevitably grow apart, until at the end of a 'quarter of a century of wedlock,' they will find themselves in the very antithesis which you have described. Beware lest they curse you roundly for bringing them to it."

Q.—Look at that issue of the *Golden Age*, [handing witness a paper,] and say whether that appeared while you were its editor? A.—Did you ask me a question?

AN ARTICLE FROM THE TROY TIMES PROPOSED TO BE READ.

Q.—I ask you to look at that issue of the paper and say if that appeared in the paper while you were its editor? A.—Yes, Sir, it is an extract from the Troy *Times*: I did not write it; I do not think I ever saw it till this morning.

Q.—Still it is in your newspaper.

Mr. Fullerton—Well, well—

Judge Neilson—It does not appear that it was with his knowledge.

Mr. Evarts—I propose to read this article—

Mr. Tilton—It is a little extract made in the news column of a Troy paper.

Mr. Evarts—We will see what it is, and if they object we will consider the question.

Mr. Beach—I understand the counsel to propose to read an extract from an article in the Troy *Times* which was published in the *Golden Age*, during Mr. Tilton's proprietorship of that paper. Now, Mr. Tilton says that he does not think that he ever saw it until he saw it just now on the stand—

Mr. Morris—He said he did not think he ever did.

Judge Neilson—He does not remember that he did.

Mr. Beach—We object to reading this.

Mr. Evarts—We offer to read it. It appeared in the *Golden Age*, of which Mr. Tilton at that time was the sole editor and proprietor, as I understand the evidence to be.

Mr. Tilton—Well, the editor is the man who reads least of his own paper.

Mr. Evarts—Well, perhaps some of the subscribers did not read it more; I do not know how that may be. But the proposition is, your Honor, that by this publication in this paper Mr. Tilton ostensibly holds himself out as the presenter—the publisher—of these propositions contained in this article. Now, by itself, perhaps it would amount to very little, but having shown by the articles already read in evidence, and in some degree, perhaps in a less degree, by the oral evidence of this witness, his relations to the opinions of Mrs. Woodhull, we think we have a right to present to the court and jury this publication, and those opinions without dissent or reproach, as the position of his paper on this subject thereby shown.

Judge Neilson—I think you cannot read it, Sir, unless it appears that it was published with the knowledge of the witness. My friend, the late District Attorney had an indictment against a paper for an article published in it, in which he failed, because the article appeared without the knowledge of the editor. I always thought that that principle was correct as applied to this case. There are many things in a paper that the editor cannot see, things put in by subordinates that he cannot see.

Mr. Fullerton—Especially if he is absent three months in the year on a lecturing tour.

Mr. Evarts—I do not say personal approval of the article, but if an editor presents an article in consonance with his editorial views, as put forth in his paper, we consider it as a presentation of the views that he holds.

Mr. Tilton (reading from the *Golden Age*)—"The editor holds himself in nowise responsible for the views of correspondents." This is printed over the top—

Mr. Evarts—This is not the view of a correspondent; and, so far as that goes, it is an advertisement that you hold yourself responsible for all the rest.

Q.—I will ask you now whether you saw that article and approved of that extract? A.—I do not think I ever saw it until this moment.

Q.—And approved of its insertion in your paper? A.—I neither approved nor disapproved: it is the habit of the *Golden Age* and any other fair, liberal-minded newspaper to print the news, and here is an extract from a speech of Mrs. Woodhull printed without comment, just in the same part of the paper as an extract from a speech of Mr. Evarts might be printed without comment.

Judge Neilson—I think you cannot read it.

Mr. Evarts (to witness)—That is rather an empty compliment, because nothing of mine has ever been published there.

Mr. Beach—It proves that you cannot save yourself from distinction, no matter how you try. [Laughter.]

Mr. Evarts—Your Honor will please note an exception.

Judge Neilson—Yes.

MARRYING AND UNMARRYING.

Q.—Here is an issue of Sept. 16, 1871, an article on marrying and unmarrying—that is your newspaper? A.—That is my newspaper, Sir.

Mr. Evarts—Yes; and it is not an extract from another paper? A.—No, Sir.

Mr. Evarts—I offer to read this article in evidence.

Mr. Fullerton—That does not entitle the gentleman to read it.

Mr. Evarts—I don't know that; extracts from other papers, anything that appears in quotation marks, is the question disposed of heretofore. Now, I propose to hold the editor responsible, in the sphere of public opinion and morality, for articles that are published in his newspaper, whether he is personally the writer of them or not, if they appear in the issue of his paper, and not credited to any other source.

The Court—Original matter.

Mr. Evarts—Original matter.

The Court—That is the question.

Mr. Fullerton—Yes, Sir; but that does not appear to be original matter; they have not established it.

The Court—You can inspect the paper and see.

Mr. Fullerton—I don't want to inspect it, Sir. The gentleman himself can do it. The gentleman, if he wants his proof, had better lay a foundation for it.

Mr. Evarts—My proposition is that the editor or publisher of a public newspaper is responsible in the sphere of public opinion and public morals, for original articles that are put forth in his newspaper, whether he personally writes them or not; but the very essence of the inde

pendence of journalism as claimed—and it is not for me to say that it is not justly claimed—is that there shall be no impersonality in regard to what the newspaper itself proposes and sets forth, as if it was the newspaper utterance to the public. The other question was a question concerning an extract from another paper.

Mr. Fullerton—The proposition, then, is that Mr. Tilton shall be judged by everything which appears in the *Golden Age* except that which is an extract from other papers.

Mr. Pryor whispered to Mr. Fullerton that that was not the proposition.

Mr. Beach—You are right.

### MR. FULLERTON OBJECTS TO THE RECEPTION OF THE ARTICLE.

Mr. Fullerton—I am right: that is the proposition on the other side, and it is an extraordinary proposition. How can he hold Mr. Tilton responsible for what appears in that paper without his authority, and without his knowledge or sanction in any way. Surely that cannot be done. Your Honor will perceive that correspondents claim the right to be heard in the public press, and they are given the opportunity to be heard—not because their sentiments are in harmony with the sentiments of the editor or proprietor of the paper, but they may be admitted for the purpose of combating them. That is often the case. Now there is not the slightest proof in this case so far, that this article which they now propose to read was ever brought under the observation of Mr. Tilton, or that he did know that one line of it was ever published in the *Golden Age*. Now until they bring the knowledge of it home to him, and show that he approved of it, he is not to be held responsible for it. It certainly would be extraordinary if the editor was responsible for the article extracted and published in his own paper, when he put it there only for the purpose of combating it and showing its falsity, and showing that it is immoral. An editor is sometimes held legally responsible for everything that appears in his paper; but that question arises in a different way, under different circumstances, and in a different case from the one now on trial. They seek to hold him morally responsible for what is in this paper; they seek to say that these must be his sentiments because they are published in his newspaper. But that is *non sequitur*. They are not his sentiments, and I submit, your Honor, that they shall not be received as such.

Mr. Beach—May I add a single word, your Honor, and I think with reference to the principle and the object of this character of evidence which is offered we can very readily discern the principle by which its admission should be governed. These articles are offered as declarations made upon the part of Mr. Tilton, and expressive of his sentiments in regard to topics which are considered on the other side odious, for the purpose of identifying him with what are the advanced or libertine opinions upon the subject of marriage and that relation. It is now offered to prove that an article which was published in the paper of which the defendant was proprietor—

Mr. Fullerton—The plaintiff.

Mr. Beach—Of which the plaintiff was proprietor—it is sought to prove that article as an expression of the opinions upon a given subject of Mr. Tilton. There is no proof that he knew of the publication of the article, there is not the slightest proof that he approved of the sentiment which it expresses. Now, upon what principle is it, Sir, looking at the purpose and the effect of the proof—upon what principle is it that Mr. Tilton is to be judged by an article appearing in the paper with which he was connected, when it does not appear even presumptively that he was acquainted with the contents of the article; and when it may, and perchance does, express opinions which would be entirely repulsive to his judgment and to his heart. A principal is sometimes held to be responsible for the declarations of his agent, where these declarations are authoritative and made in the course of the business which has been confided to the action of the agent. That is not the relation, Sir, as between the proprietor of the newspaper and the newspaper itself. These are not declarations made by the agent empowered to express the sentiments of Mr. Tilton upon the marriage relation. The relation of principal and agent is not established, nor is the question of authority established which would confer upon a writer for that paper, although in the employment of Mr. Tilton, the right to express or reveal the opinions which Mr. Tilton may entertain upon this subject, and in whatever light you may regard it, Sir, as it now stands unaided by proof of knowledge or approbation on the part of Mr. Tilton, it is the simple declaration of a third party made through an organ which was generally controlled by the plaintiff. Now, I submit to your Honor with great confidence, but with great respect, that articles of that character, expressions of that character not traced to Mr. Tilton, nor stamped with his approval, should not be received for the purpose of characterizing his sentiment on another topic. But your Honor has decided that question. I submit it is precisely in principle the same proposition which was submitted when the extract from the Troy *Times* was offered to be read. That was published in Mr. Tilton's paper; it was his paper, in some degree his agent or his oracle, but yet he is not responsible, when private and personal opinions are sought to be attached to him, he is not responsible for all the expressions which may appear in the paper. If this is to be admitted, Sir, why was not the extract from the Troy *Times* admissible? If, without any knowledge or approval, he is to be judged by this article, why not by the article which appears in his paper, whether it be an extract from another paper or not? This is not his composition; this is not his declaration of sentiment. It is the expression of a third party, precisely the same as the article in the Troy *Times*, and, like it, expresses the sentiments of another. And it seems to me that the principle applicable to the two cases is perfectly identical, and it must be recognized as the sound principle.

### MR. EVARTS ARGUES FOR THE RECEPTION OF THE ARTICLES.

Mr. Evarts—Now your Honor will observe, the attitude which Mr. Tilton and his newspaper occupy to the subject under discussion, and in reference to which the testimony is pertinent, if pertinent at all—having shown that Mr. Tilton is the editor and proprietor of this newspaper, whatever is the character of his newspaper as put forth in its issues to the public, from which the public start in denouncing his publications, and his position as a publisher of opinions in this community, calls upon him, not upon the question of his individual responsibility as author of this or that paragraph, but upon his editorial, his proprietorial responsibility, for diffusing these sentiments through the community. He is held civilly responsible, if he trespasses upon individual rights, in the action of libel, no matter whether he wrote it himself or not. And the law has settled that question—that he who publishes is responsible for the publication. And in the case of criminal responsibility the law is, no doubt, as your Honor has suggested; but it is, prima facie, enough to hold criminally an editor that the complained-of article, for which he is criminally prosecuted, is in his paper, and it depends on him to prove not only that he did not write it—that would have no excuse for him—but that it was not inserted with his knowledge, or under a general authority which he had given to subordinates in respect to such matters; but beyond that, that when its existence was brought to his notice, he did all that he could to extirpate it from the paper and exclude it from circulation, as in the case to which your Honor refers in the matter of the prosecution of the editor of the *Argus*, (for I assume that is the case to which your Honor has alluded.) Now, as bearing upon the fortunes and prosperity of this *Golden Age*, the credit and esteem of Mr. Tilton with the community, no discriminations, as matter of fact, are made by the readers of the journal, of those who approve or those who denounce such sentiments, whether it is known that they are from the pen of Mr. Tilton or not. They are from his office, from his issue, from his presentation to public influence and for public results of these doctrines in his newspaper. And it may be, if it had been important that a ground might have been found, to press upon your Honor that when he puts forth speeches of this or that public orator—whether Mrs. Woodhull or any one else—that his paper becomes an organ and a means of dissemination of those opinions. And if they are odious, if they are offensive, if they are distracting, and the paper is systematically made the means of their dissemination, why, then, within the sphere of opinion—and morality is the sphere we are now discussing—an editor is to be responsible, as for his issue of those sentiments, whether he wrote them with his own hand or not.

### THE COURT DECIDES THAT THE ARTICLE CANNOT BE READ.

Judge Neilson—The case of an action for libel for the mere publication of an article, although it be taken from another paper, rests upon the principles that the third person injured—the plaintiff in the case—is to be protected; for his individual protection. The case of an indictment like that referred to, of course, has reference to the public interests—public security. The other question, to wit, whether the articles published tended to make the *Golden Age* a good and proper paper or leave it subject to criticism, and so to fall into disrepute, and generally inculcate bad manners and morals, is not the question before us. The question before us has to do with the individual sentiment of this witness. If the case before us involved the question whether he was a good editor, whether he kept his contracts as publisher well, that again would be different. But this goes to the state of morals of the witness, to his individual sentiment, and I therefore think that the inquiry should be confined to articles written by himself or published with his knowledge and sanction, and as the proof now stands, I think this article cannot be read.

Mr. Evarts—Your Honor will be so good as to note our exception.

Judge Neilson—Yes.

### ANOTHER ARTICLE RULED OUT.

Q.—Look at that article [handing a paper to the witness] and say if you wrote it? The Witness—May I ask your Honor to permit me to speak confidentially with Mr. Evarts a moment.

The Court—Certainly.

The witness then spoke to Mr. Evarts in a whisper.

Q.—Now, I ask you if you wrote that? A.—No, Sir.

Q.—Was it published with your knowledge and approval? A.—No, Sir.

Q.—Did you in any way exhibit, either in that issue or in any subsequent issue, any disapproval of that article? A.—I did not observe either this article or the other until two or three weeks after. My attention was publicly called to it. Then I ascertained to my great astonishment—

Q.—That has been excluded. We won't talk about it. A.—They were both written by the same pen.

Q.—No, the other purported to be a speech of Mrs. Woodhull. A.—No, Sir, in the paper you handed me there are two articles printed from a correspondent.

Q.—Oh, no. A.—I thought this was another; there are two.

Mr. Evarts—No, that one is not.

By Mr. Beach—You were asked if you expressed dissent? A.—I did. I expressed a good deal of dissent. I regretted their publication.

Mr. Evarts—Don't talk about that.

The Witness—This is another letter like it. I find they were written by a member of an orthodox Congregational church, a contributor to the *Christian Union*, and a member of Mr. Beecher's coterie of writers. [Laughter.]

Mr. Evarts—It would be well to be specific, otherwise we shall all be aspersed.

Q.—Who was the writer? The Witness.—I ask your Honor's permission to shelter the name of the writer in honorable quietude, it being a lady.

Mr. Evarts—Well, I do not know who the lady is, nor do I care who it is. But it seems to be something disreputable on the face of it.

Judge Neilson—I hardly think that. I think the witness should have omitted the general statement.

Mr. Evarts—The rest, yes; because it is the whole circle that is aspersed.

The Witness—Your Honor, I called Mr. Evarts to me, and gave him that name in private.

Mr. Evarts—Very well; I told you I had not asked you who wrote it.

The Witness—I told you that it was written by one of Mr. Beecher's personal friends.

Mr. Evarts—I did not communicate it in public. You gave it to me in confidence, and I did not divulge it. But I did not ask you any such question.

Judge Neilson—You had better ask a question.

Mr. Beach—I think the witness and Mr. Evarts should continue this discussion, Sir, during the recess. [Laughter.]

Mr. Evarts—We should lose our audience, Sir, which is the only motive for it. [Laughter renewed.]

Q.—Now, you have not answered my question, I think, which was—Whether you had, either in this issue or at any subsequent one, said anything in your paper disavowing this article or expressed disapproval? A.—No, Sir. I spoke personally about it.

Q.—You mean to the writer? A.—Yes, Sir.

Q.—Not to the public? A.—No, Sir; simply to the writer.

Mr. Evarts—Now I apprehend, if your Honor please, that I am entitled to read the answer.

Judge Neilson—The same ruling as to the other.

Mr. Morris—He says he disavowed it.

Mr. Evarts—He says he did not disavow it in the paper, but spoke to the writer about it.

Judge Neilson—I will rule it out.

Mr. Evarts—Your Honor will please give us an exception. The article is not so bad as the name of it; and I think on its own account it ought to be read to show that it is not so bad as represented. [Laughter.]

The Court then ordered a recess until 2 o'clock.

### *AFTER RECESS.*

After recess the cross-examination of Mr. Tilton was resumed, as follows:

By Mr. Evarts—Look at this paper and see if that is an issue of your press? [Pamphlet shown to witness, on which were written in pencil the words, "B. F. Tracy, Jan. 22, 1874."] A.—All except "B. F. Tracy, Jan. 22, 1874."

Q.—Well, that appears to be the name of the owner. That is not printed? A.—No, Sir.

Q.—That hardly could be an issue of any man's press? A.—That, certainly, is not an issue.

Q.—I asked you if that was the issue of your paper? A.—I say all except the written name on it.

Q.—This is the *Life of Mrs. Woodhull*, about the manner of the composition of which you testified in your direct examination? A.—Not a life, but a narrative of it.

Q.—A biographical sketch? A.—Yes, Sir.

Q.—It is the production of which you spoke as to the manner of its composition. A.—Yes, Sir.

### THE WOODHULL BIOGRAPHY OFFERED IN EVIDENCE BUT RULED OUT.

Mr. Evarts—I offer this in evidence now. The witness has given us his statement concerning its composition in his direct examination, introduced by my learned friends. I suppose, of course, I am entitled to have it in evidence.

Mr. Beach—If your Honor please, we do not deem this publication admissible. It has been once ruled out by your Honor; but perhaps the circumstances are somewhat changed, under which it is now offered. But it appears that that sketch of Mrs. Woodhull was corrected after the preparation by her husband, by Mr. Tilton, and certain parts of it which were not his authorship, as they were prepared by the husband of Mrs. Woodhull, were omitted in the sketch which was written and prepared by Mr. Tilton, with which he was not in harmony, and that it was, so far as he had any connection with it, prepared and issued in pursuance of an arrangement between himself and Mr. Beecher and Mr. Moulton, for the purpose of suppressing the scandal which is now under examination. It is offered for the purpose of concluding Mr. Tilton, or identifying him, at least, with the opinions of that lady which it expresses; and when it appears as plainly as it does under the evidence as it now stands without contradiction that they were not his own opinions in regard to that person; when it is clear that it was prepared for a common purpose between this plaintiff and Mr. Beecher, it seems to me that it is immaterial. The object of its production, as I said, was to identify Mr. Tilton with certain opinions and sentiments, and to prove his expressions of approbation in regard to the public history of this lady or her opinions. When it is perfectly apparent that it is not a real expression of his views—when it was a device or stratagem arranged between these parties for a specific purpose, acknowledged and known to be a mere device, and not a candid, sincere expression of an opinion upon the part of the writer—it seems to me that the introduction of such a paper is wide from the purpose for which it was offered, and is in itself immaterial; and I therefore submit to your Honor that the general opinions which may be given by Mr. Tilton in regard to the character of a public person, even if they were the expression of his own real sentiments in regard to that person, or to the doctrine which she might advance, I submit that they are immaterial to any of the issues in this case. But your Honor will further perceive, so far as I have observed the nature of the evidence now offered, that it is not by any means in itself an adoption of the opinions which are imputed to that lady. It is a sketch or history of a public person in connection with a particular subject, out of which, in connection with which, she has grown notorious. Now, how does it become material in this action? It is only upon the argument and theory that such a sketch or history of a public personage is an approval of the doctrines or opinions which that person may be supposed to maintain. I submit to your Honor that the history, either of a nation or of an individual, is not in its whole matter of evidence as against its author in regard to the facts or events which it may detail, and that the approbation of a historic personage by a historian is by no means adoption of the opinions or approval of the acts which may be attached to that person. The effort is by the production of this sketch of the life of Mrs. Woodhull to connect and identify Mr. Tilton with all the opprobrium, whether just or unjust, which the public may have attached to her supposed doctrines and opinions. Your Honor must perceive in the production which is offered some direct approval or adoption of those supposed sentiments that a historian cannot be charged, as I have said, with the character of a nation or an individual which may be the subject of his writing; and in that view, if your Honor please, you have heretofore excluded this article as a whole, and have permitted only, I believe, a certain extract or certain extracts to be read from it, for the purpose of characterizing certain other testimony.

The Court—It was from the other article.

Mr. Beach—Now, I submit to your Honor, that before this paper should be received as a whole, it should be submitted to your Honor in some form by reading or personal examination, so that you might understand the nature of its contents, and see how far it may be proper and appropriate to the issue we are trying. Because your Honor will perceive the cross-examination thus far has raised the necessity, and this will but increase the necessity, of examining in regard to the real sentiments which Mr. Tilton may have at the time entertained in regard to this person, or in regard to the opinions and tenets which were publicly imputed to her at the time. It seems to me we are wandering far off into ranges of collateral inquiry which are unnecessarily occupying the time of the court, and will not lead to any elucidation of the particular interests which are to be passed upon by your Honor and the jury, and we therefore object to this article as it is offered in bulk.

### MR. EVARTS ARGUES IN FAVOR OF ITS ADMISSION.

Mr. Evarts—This seems to be the simplest matter in the world, if your Honor please. Evidence has been introduced in the direct examination of this witness concerning his composition of this book—how at one stage of its progress it had dissatisfied the subject of the sketch, and how he subsequently completed it at night, occupying the greater part of the night, and reading it to the family of that household the next morning, and it was pronounced a perfect success, or something of that kind, or some very high encomium was passed upon it by that lady and her family. Now, when we undertake to show the thing that he did they say that we can't show the thing that he did, and that the manner of its being is the only thing that is admissible in evidence. Now that seems to me to be a monstrous doctrine. They can introduce in the direct evidence from this witness, the author of this book, the way he wrote that book, and that is pertinent evidence; and then, when we undertake to prove the thing he has done, we are met with the objection that that is not pertinent. Now, in regard to some general views, we want an examination into this particular objection. My learned friend speaks of the rule of evidence uncontradicted in regard to the degree of harmony which existed between the opinions of this witness, the author, and this lady, the subject of the memoir. Well, it does not follow that because the testimony is not contradicted that it is accepted, and in the same sense in which my learned friend may wish it by the trial of questions of fact; but under the evidence it certainly is a question for this jury to determine if it be a subject to be discussed as an element of fact in this case; what was the degree of sympathy, of unity, of confederacy between this lady and this witness and author in respect to the dissemination of these doctrines and the glorification of the chief champion of them in this country, and I know of no better way, or safer way, for the witness than to take his own eulogy, coupled with his own explanation of how he happened to give the eulogy. No injustice done in that. In regard to the supposed concurrence on Mr. Beecher's part in this production—well that seems rather fanciful, because all that has been said about Mr. Beecher in the connection was that he approved of stopping the dissemination of these slanders by kindness and influence with this lady. He never has been known to approve of this life of Victoria Woodhull, or its sentiments or its applause; and if he had it would not make it any less important that instead of the vague, uncertain, and nebulous views about the lady, and about the author in connection with the work, the work itself should be the subject to which attention is to be directed, without Mr. Beecher, on the other hand, or Mr. Tilton is to be held responsible for it. Now, the connection of this subject with the issues in this case is twofold—first, in its primary relation as the evidence of sentiment of association commitment, of involvement in these doctrines and their representative, as bearing upon his position then before maintained with reference to the more accepted views of religion and of morals, and the more acceptable organs of public influence through which Mr. Tilton had been acting. It bears also directly, and, as your Honor will remember, upon the question of the swift destruction upon the interests of the *Golden Age* and its proprietor, of his position and repute before the public which followed from this publication—this very publication, and to meet any ideas that are to be introduced, that any harm has come to his prosperity or his fortunes in consequence of the complaint he now makes of the injury he has suffered from this defendant, and which formed the particular issue, and the whole issue, on which the case depends. Now, if your Honor please, in the simplest proposition, evidence concerning the thing has been given, and the manner of the composition, why then the thing may be shown, and therefore it seems to me to be clearly admissible.

### EXTRACTING THE TEETH OF A LIONESS.

Mr. Fullerton—I think it would be well, if the court please, to understand the exact attitude of the persons interested in the suppression of this scandal in 1871, when this so-called biography was published. Your Honor will recollect that, prior to its publication, this card of Victoria Woodhull appeared in one or more of the New-York papers, in which she shadowed an intent, on her part, to publish this scandal to the world. As a matter of course, this was a cause of great alarm and apprehension, an alarm which reached Mr. Beecher as well as Mr. Tilton. It it lay within the range of human power it was to be suppressed. They came to the conclusion to leave nothing undone which could be done for the purpose of silencing this threatened exposure. They met together; they consulted as to what should be the course they should adopt to accomplish a common end, and to effectuate a common purpose. They supposed that the scandal was effectually suppressed at that time; but here a new danger had arisen, a lion in the way, or considering the sex of the person who threatened the exposure, I may term it a lioness in the way; none the less dangerous, however. And it was agreed that Theodore Tilton should be the one to go forward and extract the teeth of this dangerous animal, and to substitute the harmless purr for the angry and threatening growl; and he went forward to accomplish that end, not only in his own behalf, but on the behalf of Mr. Henry Ward Beecher, and with his approval. And, Sir, he wrote that biography to suppress this scandal, for the benefit of the one as well as for the benefit of the other; and when his labors closed he received his commendation. I suppose that if, to accomplish that object, Mr. Tilton had been called upon to write a glowing eulogium upon Judas Iscariot, he would have done it, and the defendant would have commended him for it. And now, Sir, it is with a bad grace that this defendant turns upon Mr. Tilton and holds him responsible for the effect of that biography; holding him up as an immoral man, and as a dangerous man in the community, for the purpose of shielding himself from the change of circumstances now against him. I call your Honor's attention to this that your Honor may see that as the proof now stands Mr. Beecher is to be held responsible for the consequences of this publication as well as Mr. Tilton. If it should reflect upon one injuriously it should reflect equally upon the other. Mr. Beecher will be held responsible in this case as well as Mr. Tilton. And I think that neither of them are to be held responsible for it; but when your Honor views the circumstances in evidence, and the object these parties had to effect, and that they effected it by the publication of this biography, you will see that it is part of the testimony of this case, and it will subserve no good purpose if it is admitted.

Mr. Evarts—I am at a loss to see, if your Honor please, that because Mr. Beecher will be affected by this as well as the witness is any reason why it should not be given.

Mr. Beach—I think, if your Honor please, that in offering these objections the ordinary order of argument should be observed.

Mr. Evarts—I agree with that fully. There have been no suggestions made on our part—

Mr. Fullerton (interrupting)—I shall not hesitate to make a suggestion for Mr. Beecher's benefit if the other side do.

Mr. Evarts—Well, and after all, what you say may not go very far then.

Mr. Fullerton—It may go far enough to reach him.

### SOLOMON'S JUDGMENT.

Mr. Evarts—Now, if your Honor please, this is a matter of considerable importance in regard to the integrity of the evidence in this case. Here are subjects talked about, and perhaps proved. Now, agreed that when it is in it may be very properly used by my learned friends to the destruction of the defendant—that is not the question now. But ever since the judgment of Solomon as to the mother of the child, you can generally tell which has the true affection for a piece of testimony—the one that wants it in or the one that wants it out.

The Court—I think I must rule it out, Sir. We cannot receive it.

Mr. Fullerton (to Mr. Evarts)—The judgment of Solomon was expended with regard to the child and not the mother.

Mr. Evarts (holding up a copy of the Woodhull biography)—This is the child.

Mr. Fullerton—It turned out to be an illegitimate one, however.

Mr. Evarts (to the stenographer)—Please mark this for identification.

The Court (to the reporters)—I wish to remind the reporters who sit near that any movement on their part or any conversation between them is very annoying to those sitting further back, and prevents their hearing. They should be considerate to one another.

### THE CLEVELAND LETTER.

Mr. Evarts (to the witness)—This is the Cleveland letter, Sir, which we have now in a more—a better record of, from the files of the *Herald*.

Mr. Shearman handed the book to the witness.

The Court (to the witness)—See if you recognize that as the Bacon letter.

Mr. Evarts—The Cleveland letter.

Mr. Beach—Whose? Mr. Beecher's?

Mr. Evarts—Yes, Sir.

The Witness—Do you wish me to read it?

The Court—Look through it enough to enable you to say whether it is the one.

Mr. Evarts (showing witness an extra sheet of paper)—Here is a more manageable copy of it.

The Witness—Here is a letter dated New-York, Aug. 30, 1866, signed Henry Ward Beecher, and I presume it is the Cleveland letter.

The Court (to the witness)—See if you recognize the sentiment or argument.

The Witness (in an undertone)—I don't think there is any argument in it.

After the witness had examined the paper contained in the file for a few seconds, Mr. Shearman passed up another paper to him.

Mr. Evarts (to the witness)—Have you looked at it sufficiently, Sir.

The Witness—Sufficiently for what?

Mr. Evarts—To answer whether that is the letter which was the basis of that controversy.

A.—I have no manner of doubt, Sir, that this is the one.

Mr. Evarts—We offer to read this.

Mr. Beach—We object to it, Sir.

The Court—I think we will receive it, Sir. It is supposed to be the basis of some departure between them.

Mr. Beach (in an undertone)—I don't think it at all admissible.

Mr. Morris—If your Honor pleases, the reading of this will necessitate our reading the speech of Mr. Beecher in the Academy of Music shortly afterward, retracting that letter. Mr. Beecher made a speech in the Academy of Music shortly afterward—a speech to which I had the honor of listening—occupying some two hours and a half, retracting that letter, and if this is read we will have to read that speech.

The Court—You can prove the general character of it.

Mr. Evarts—That does not alter the rule of law, however.

The Court—I think it may be read.

Mr. Beach—Your Honor will please note my objection.

Mr. Shearman then read as follows:

### BEECHER'S LETTER TO THE CLEVELAND CONVENTION.

PEEKSKILL, Thursday, Aug. 30, 1866.

*Charles G. Halpine, Brevet Brigadier General; H. W. Slocum, Major General; Gordon Granger, Major General, Committee:*

GENTLEMEN: I am obliged to you for the invitation which you have made to me to act as Chaplain to the Convention of Sailors and Soldiers about to convene at Cleveland. I cannot attend it; but I heartily wish it and all other conventions, of what party soever, success, whose object is the restoration of all the States late in rebellion to their Federal relations.

Our theory of government has no place for a State except in the Union. It is justly taken for granted that the duties and responsibilities of a State in Federal relations tend to its political health and to that of a whole nation. Even Territories are hastily brought in often before the prescribed conditions are fulfilled, as if it were dangerous to leave a community outside of the great body politic. Had the loyal Senators and Representatives of Tennessee been admitted at once on the assembling of Congress, and, in moderate succession, Arkansas, Georgia, Alabama, North Carolina, and Virginia, the public mind of the South would have been far more healthy than it is, and those States which linger on probation to the last would have been under a more salutary influence to good conduct than if a dozen armies watched over them.

Every month that we delay this healthful step complicates the case. The excluded population, enough unsettled before, grow more irritable; the army becomes indispensable to local government, and supersedes it; the Government at Washington is called to interfere in one and another difficulty, and this will be done inaptly, and sometimes with great injustice—for our Government, wisely adapted to its own proper functions, is utterly devoid of those habits, and unequipped with the instruments, which fit a centralized government to exercise authority in remote States over local affairs. Every attempt to perform such duties has resulted in mistakes which have excited the nation. But whatever imprudence there may be in the method, the real criticism should be against the requisition of such duties of the General Government.

### THE FEDERAL GOVERNMENT UNFIT TO EXERCISE LOCAL GOVERNMENT.

The Federal Government is unfit to exercise minor police and local government, and will inevitably blunder when it attempts it. To keep a half score of States under Federal authority, but without nationalities and responsibilities; to oblige the central authority to govern half the territory of the Union by Federal civil officers and by the army, is a policy not only uncongenial to our ideas and principles, but pre-eminently dangerous to the spirit of our Government. However humane the ends sought and the motives, it is, in fact, a course of instruction, preparing our Government to be despotic, and familiarizing the people to a stretch of authority which can never be other than dangerous to liberty.

### GOOD MEN WITHHELD FROM ADVOCATING THE ADMISSION OF THE EXILED STATES.

I am aware that good men are withheld from advocating the prompt and successive admission of the exiled States by the fear, chiefly, of its effects upon parties and upon freedmen.

It is said that, if admitted to Congress, the Southern Senators and Representatives will coalesce with Northern Democrats and rule the country. Is this nation, then, to remain dismembered to serve the ends of parties? Have we learned no wisdom by the history of the last ten years, in which just this course of sacrificing the nation to the exigencies of parties plunged us into rebellion and war?

Even admit that the power would pass into the hands of a party made up of Southern men, and the hitherto dishonored and misled Democracy of the North, that power could not be used just as they pleased. The war has changed, not alone institutions, but ideas. The whole country has advanced. Public sentiment is exalted far beyond what it has been at any former period. A new party would like a river, be obliged to seek its channels in the already existing slopes and forms of the continent.

### A NEW ERA OF LIBERTY.

We have entered a new era of liberty. The style of thought is freer and more noble. The young men of our times are regenerated. The great army has been a school, and hundreds of thousands of men are gone home to preach a truer and nobler view of human rights. All the industrial interests of society are moving with increased wisdom toward intelligence and liberty. Everywhere, in churches, in literature, in natural sciences, in physical industries, in social questions, as well as in politics, the nation feels that the Winter is over, and that a new Spring hangs in the horizon and works through all the elements. In this happily-changed and advanced condition of things, no party of the retrograde can maintain itself. Everything marches, and parties must march.

### MEAN AND CRAVEN FEAR.

I hear with wonder, and shame, and scorn the fear of a few that the South once more in adjustment with the Federal Government will rule this nation. The North is rich—never so rich; the South is poor—never before so poor. The population of the North is nearly double that of the South. The industry of the North, in diversity, in forwardness, and productiveness, in all the machinery and education required for manufacturing, is half a century in advance of the South. Churches in the North crown every hill, and schools swarm in every neighborhood; while the South has but scattered lights at long distances, like light-houses twinkling along the edge of a continent of darkness. In the presence of such a contrast, how mean and craven is the fear that the South will rule the policy of the land! That it will have an influence, that it will contribute, in time, most important influences or restraints, we are glad to believe. But if it rises at once to the control of the Government it will be because the North, demoralized by prosperity and besotted by groveling interests, refuses to discharge its share of political duty. In such a case, the South not only will control the Government, but it ought to do it.

### THE NEGRO PART AND PARCEL OF SOUTHERN SOCIETY.

It is feared, with more reason, that the restoration of the South to her full independence will be detrimental to the freedmen. The sooner we dismiss from our minds the idea that the freedmen can be classified and separated from the white population and nursed and defended by themselves the better it will be for them and us. The negro is part and parcel of Southern society. He cannot be prosperous while it is unprospered. Its evils will rebound upon him; its happiness and reinvigoration cannot be kept from his participation. The restoration of the South to amicable relations with the North, the reorganization of its industry, the reinspiration of its enterprise and thrift, will all redound to the freedmen's benefit. Nothing is so dangerous to the freedmen as an unsettled state of society in the South. On him comes all the spite and anger and caprice and revenge. He will be made the scapegoat of lawless and heartless men. Unless we turn the Government into a vast military machine there cannot be armies enough to protect the freedmen while Southern society remains insurrectionary. If Southern society is calmed, settled, and occupied, and soothed with new hopes and prosperous industries, no armies will be needed. Riots will subside, lawless hangers-on will be driven off or better governed, and a way will be gradually opened up to the freedmen, through education and industry, to full citizenship with all its honors and duties.

### CIVILIZATION IS A GROWTH.

Civilization is a growth. None can escape that forty years in the wilderness who travel from the Egypt of ignorance to the promised land of civilization. The freedmen must take their march. I have full faith in the results. If they have the stamina to undergo the hardships which every uncivilized people has undergone in their upward progress, they will in due time take their place among us. That place cannot be bought nor bequeathed nor gained by sleight of hand. It will come to sobriety, virtue, industry, and frugality. As the nation cannot be sound until the South is prosperous, so on the other extreme, a healthy condition of civil society in the South is indispensable to the welfare of the freedmen.

Refusing to admit loyal Senators and Representatives from the South to Congress will not help the freedmen. It will not secure for them the vote. It will not protect them. It will not secure any amendment of our Constitution, however just and wise. It will only increase the dangers, and complicate the difficulties. Whether we regard the whole nation, or any section of it or class in it, the first demand of our time is entire union!

Once united, we can, by schools, churches, a free press, and increasing free speech, attack each evil and secure every good.

### THE CHASM NOT FILLED UP.

Meanwhile, the great chasm which rebellion made is not filled up. It grows deeper and stretches wider. Out of it rise dread spectres and threatening sounds. Let that gulf be closed, and bury in it slavery, sectional animosity, and all strifes and hatreds!

It is fit that the brave men, who on sea and land faced death to save the nation, should now, by their voice and vote, consummate what their swords rendered possible.

For the sake of the freedman, for the sake of the South and its millions of our fellow-countrymen, for our own sake, and for the great cause of freedom and civilization, I urge the immediate reunion of all the parts which rebellion and war have shattered. I am truly yours,

HENRY WARD BEECHER.

The letter was marked in evidence D 57.

### ADDITIONAL LETTERS TO BE READ.

Mr. Beach—In our examination of the letters of Mrs. Tilton and her husband we have fallen upon one which we would like to introduce at some stage of the examination of Mr. Tilton.

Judge Neilson—Not in the cross-examination; I will reserve that right for you.

Mr. Evarts—If your Honor please, both of us agreed that they should be introduced as soon as they found them.

Judge Neilson—Won't it do on the redirect examination?

Mr. Evarts—No, Sir, not at all; we would rather have them in now, because then they would have the redirect on them, which would be the same thing, and they probably would not increase the cross-examination materially; we will have no difficulty about it.

Mr. Beach—We can read them as we find them.

Judge Neilson—I was going to suggest that. Do as you please, gentlemen.

Mr. Beach—We will go over more exactly this correspondence in the course of the evening, and in the morning we will introduce the letters.

Mr. Evarts—If your Honor please, the witness has been subpœnaed on our part to produce various papers, among them letters between himself and his wife, and we have endeavored to make a memorandum of those which at present we wish, and have handed it, I think it has been handed, to counsel on the other side; has it not?

Mr. Morris—Yes, Sir.

Mr. Evarts (continuing)—And we are really desirous of having them as promptly as may be. I only give notice to counsel that it is at an approaching stage of my examination that I will want to use them—letters of Mr. Tilton and Mrs. Tilton—and if at the same time you could give us those you wish to add—

Mr. Morris—That we can do to-night.

Mr. Evarts—Till I get the whole of the letters I shall be unable to go on further in the consideration of this present topic; I have got through with the publications.

### TILTON'S PERSONAL RELATIONS WITH MR. BEECHER.

Q.—Now, Mr. Tilton I will ask you concerning your personal relations with the defendant, Mr. Beecher. In general we know their origin and progress by the direct examination. Now, did you get well acquainted with Mr. Beecher in the years of your knowledge of him prior to the year 1870? A.—I thought I knew him thoroughly, but I found I was mistaken.

Q.—Well, that is a subsequent discovery; but up to that time you thought you knew him very well, did you not? A.—Yes, Sir.

Q.—And your intercourse with him was such as would lead you to suppose that he knew you very well? A.—Yes, Sir.

Q.—Now won't you describe to me the early sentiments that you entertained toward Mr. Beecher, say up to the time when you became assistant editor, as I think you did, of the *Independent*—he being the editor of that paper, you became the assistant editor? A.—Yes, Sir.

Q.—Now we will take it up to that time. What time was that—about 1860 or 1861? A.—When I became editor in chief?

Q.—When you became assistant editor after his return from Europe you became editor in full; you did not become editor in full until after his return from Europe? A.—No, Sir.

Q.—Well, when did you become assistant editor? A.—In 1856.

Q.—Well, say up to that time. In the first place your acquaintance with him commenced when you were about how old? A.—Well, I shall have to guess.

Judge Neilson—His question is about how old.

Witness—I answered yesterday about how old. Will you do me the favor to put your question in such a form that I can make a consistent answer?

Q.—At about what age were you when you first became acquainted with Mr. Beecher? A.—I think when I was about sixteen or seventeen years old—perhaps a little older.

Q.—And was that acquaintance cotemporaneous with your taking up your residence in Brooklyn? A.—I think it began a little before that.

Q.—Now, in what form of association or acquaintance were you at first connected with him? A.—I used to go to his church, and then I went to his Sunday-school. I then became associated with him in the *Independent*. In all those ways I was more or less intimate with him.

### HE KNEW MR. BEECHER AS A BIG BOY.

Q.—But he was a man of maturity of life and strength and repute when you first became acquainted with him, was he not? A.—I don't think he had reached his maturity of life. I don't know what age you fix as the maturity of life.

Q.—Oh, well, I am not speculating about it. I am asking you a plain question. A.—I don't know Mr. Beecher's age at that time, and don't know it at the present time.

Q.—Well, you know something of it? A.—Some of his age?

Q.—Yes. A.—I think he is between sixty and sixty-five, if I understand anything about it. Still, I will not undertake to speak any man's age.

Question repeated. A.—I don't think he had come either to the maturity of his strength or repute at that time.

Q.—Did you use "maturity," then, in the sense of zenith or culmination? A.—I used it in the sense in which I supposed you wished me to answer.

Q.—Was he a man of mature years and settled position in his profession and before the public? A.—Well, Sir, when I knew him I always regarded him as a big boy, rather than a man at all. He was a man of large fame, had a great church, and was in the exercise of very manly and illustrious powers.

Q.—In what sense do you wish to be understood that he seemed to you like a big boy? A.—Because his manner was hearty, large, gay, companionable, and winning.

Q.—Guileless? A.—No, Sir.

Q.—Does that come within the description of "like a boy?" A.—No, Sir; the craftiest people I know of are boys—newsboys for instance.

Mr. Evarts—Well, I don't know them.

Mr. Beach—They know the gentleman very well.

Q.—Well, do you not use this phrase, "like a boy," in the sense of frankness, generosity of character, and demeanor generally? You have used the phrase, and I suppose that is the reasonable sense of it. A.—When I say that Mr. Beecher, in his earlier years, was like a big boy, I mean to say there was a certain bouncing character in his life and manner; he was very companionable, hail fellow well met, fond of a joke, frolic fond of things which boys liked; that made him very companionable to me, for I was very little more than a boy myself.

Q.—And all the other young people? A.—Yes; I thought he was the most charming man I ever saw.

Q.—You thought so then? A.—Yes, Sir.

Q.—And in looking back upon him as you remember him, you look upon him at that period as the most charming man you ever knew. A.—Yes. I have since met men who in all those qualities, I think, excel him very greatly. But at that time, in those early years, Mr. Beecher was my man of all men. I had not seen the world so extensively—had not measured him with other men.

### HE LOVED BEECHER NEXT TO HIS FATHER.

Q.—I do not speak so much now of admiration of abilities as of regard for his character and those qualities that you mention. They made him charming? A.—I loved him next after my father.

Q.—Now, up to what period of your acquaintance with Mr. Beecher did you retain those opinions concerning him and those feelings toward him? A.—Well, Sir, as I grew older and mingled with the world, and saw other men, the fine gold of my idol became dim. I saw he was not the greatest man in the world, nor the pleasantest man in the world, nor the frankest man in the world. I met other men his peers, other men his superiors, as time grew on and as I grew older. I suppose that is the common experience with all young men; they have idols of their youth, and as they grow older their idols are overthrown. That has been the case with most of mine.

Q.—Did these successful rivals of Mr. Beecher come into as intimate and constant companionship with you as he did? A.—I don't know to whom you refer when you speak of "successful rivals."

### BEECHER'S RIVALS.

Q.—You have just described them. A.—For instance, when I came to know Mr. Charles Sumner I ranked him very much beyond Mr. Beecher, both intellectually and morally, and every other way; when I came to know Mr. Horace Greeley intimately I put him at a considerable height above Mr. Beecher, both in point of intellect and of moral sincerity, and of unselfish devotion to the public good; I might mention other men; if you mean to ask me whether the men who in my later years were high in my affection and admiration—if you mean to ask me whether I ever became as intimate with those men as in my early life I had been to Mr. Beecher, I should have to say no, unless, perhaps, Mr. Greeley formed an exception.

### WHEN HE BEGAN TO CHANGE IN HIS ESTIMATE OF MR. BEECHER.

Q.—Now, about the date of those elevations above Mr. Beecher which your larger acquaintance among men assigned to the new acquaintance—you have given us only when you got acquainted with Mr. Beecher and Mr. Sumner. Now give us about the dates when you began to change in your estimate of Mr. Beecher. A.—My only answer to that question is that in proportion as I enlarged my acquaintanceship among among public men, here and there one rose around me to a greater height than Mr. Beecher. He stood among them. He was among the great men of the country; but there were great men before Agamemnon, and there will be great men after.

Q.—That still leaves us a little vague as to what the time was, because we don't know all these facts which you knew and which we are trying to get at. A.—Well, Sir, the process of change that brought up other men in my estimation to an equal rank with Mr. Beecher, and brought some of them to a superior rank, began so long ago and was so imperceptible in its progress that I could not note its beginning; should not be able to fix any such date in my own mind.

Q.—How early did there come to be, if at all, any cooling or break in regard to the sentiments and affections which you entertained toward Mr. Beecher? A.—I don't know that there was ever any actual break between Mr. Beecher and myself through any of the political divergencies, to some of which you have alluded, and those which are consequent upon the Cleveland letter. He would be better authority upon that subject than I am. I have reason to believe that he was very sore at the comments which I made on the Cleveland letter, still it didn't break our friendship. I remember distinctly having a talk with him only a few days after the publication of that letter. What I mean distinctly, Mr. Evarts, is this, that I ceased as I grew older to look upon Mr. Beecher as the leader, either in politics or art or religion—not that I disowned him or his ability, but as I grew older he was to me less a leader than he had been originally.

Q.—How were you apprised of that change—did you attribute the change to him or to yourself? A.—Well, Sir, I think quite likely it was due to my own growth to a certain degree: I think that if any other man had occupied the same position in my heart's affection in my youth I should probably have thought less of him, or, at least, less of his great superiority over all other men as time progressed, but I was not responsible for Mr. Beecher's betrayal of the Republican Party in 1865—that he was responsible for, and his church rose up against him.

Mr. Evarts—Oh, no; we don't want that.

Witness (continuing)—And he retracted it in the Academy of Music.

Mr. Evarts—I don't care about church dissensions; it is only your relation with Mr. Beecher we have got to do with.

Q.—Now, when did you come to a pretty firm notion that Mr. Beecher was not as great and important a person intellectually as you had supposed? A.—Well, when I was twenty-five, or six, or seven years old—still I must give that answer very definitely.

Q.—And that opinion is increased, is it not? A.—Yes.

Q.—Since then? A.—Yes, Sir.

Mr. Evarts—Now, do you remember—?

Witness (interrupting)—You don't understand me as disparaging his intellectual powers now? Not at all, Sir.

### HE STILL RESPECTS BEECHER'S STRENGTH.

Q.—You still have a certain respect for him? A.—I have a respect for his strength. I respect his giant strength, as the poet says, though it is base to use it with a giant's strength.

Q.—Now, do you remember coming to a conclusion that Mr. Beecher had got his growth and was to decline in public favor and influence and others were to pass beyond him? A.—I don't understand your question, Sir.

Mr. Evarts—The stenographer will read the question.

The Court Stenographer (reading)—"Now, do you remember coming to a conclusion that Mr. Beecher had got his growth and was to decline in public favor and influence and others were to pass beyond him?"

Mr. Beach—Do you mean in intellectual growth?

Mr. Evarts—In bulk generally.

Mr. Beach—It may be as to his growth, not necessarily his bulk.

Mr. Evarts—His position generally and his standing in the community.

Witness—I don't know whether I ever stopped to consider the question whether Mr. Beecher had come to his intellectual growth or not; I don't know whether he has come to it yet.

### IT IS EASY TO BEAT A MAN WHO IS IN THE WRONG.

Q.—Don you remember comparing yourself with him upon the occasion of your discussions about the church missionary appropriations, if that describes the occasion, and thinking that you had overmatched him in that controversy? A.—That speech is in the pamphlet, Sir, and speaks for itself. I knew he was in the wrong, and it is very easy to beat a man, any time, who is in the wrong.

Q.—Now, it is rather to your conclusions or convictions than the fact I want—whether you had come to the conclusion that you had overmatched him in that fight? A.—If I had arrived at any conclusion I should not have any right to state it here.

Mr. Evarts—You are excused from any immodesty in the statement, because it is required from you as far as the testimony is concerned. A.—If I should say I overmatched him in that struggle it would be immodest; if I should say I did not I should lie. [Laughter.]

Mr. Evarts—Very well; it is the truth we want.

### HE DID NOT THINK HE OVERMATCHED BEECHER IN SAGACITY.

Q.—Now, in the Cleveland letter and in the controversy and the political divergencies and antagonisms that grew up then, did you then think that you had overmatched him in sagacity and ability, both in the principles you assumed and in their acceptance by the party? A.—No, Sir; there was no discussion at that time; all that I did toward the Cleveland letter was simply to use the journal which I edited, and which was to a great degree the mouthpiece of the Republican Party, and what I then did toward the Cleveland letter was to enter my protest against that crime against liberty which that letter committed.

Mr. Evarts—Crime against liberty?

Witness—Yes, Sir, crime against liberty; and if you will ask me what that crime was, I will state it.

Mr. Evarts—No, no; if it is important to my friends on the other side, they can have it.

Mr. Beach—Yes, Sir; we will have it.

Q.—Now, this feeling against—toward Mr. Beecher, as you have described it, and its modifications as I understand you now, met with no serious catastrophe of any kind until this matter of 1870? A.—No, Sir; we always remained personal friends until 1870.

Mr. Evarts—Strike out that last answer.

### BEECHER'S RELATIONS TO TILTON'S FAMILY.

Q.—Now, during all this period what were Mr. Beecher's relations to your family or your household? A.—Well, Sir, I was married in 1855.

Q.—Now run through your residences, if you please—you were married in 1855? A.—Yes, Sir.

Q.—Where did you reside first, and for what period? A.—I resided at No. 48 Livingston street, Brooklyn, but I don't know how long.

Q.—At your mother-in-law's? A.—Yes, Sir.

Q.—Mrs. Morse? A.—Yes, Sir.

Q.—Formerly? A.—Yes, Sir.

Q.—Where then did you reside? A.—I resided in Oxford street.

Q.—For how many years? A.—I don't know, Sir.

Q.—Several years? A.—Yes, Sir.

Q.—Where then? A.—Then I returned to Livingston street, and bought the house where I now reside.

Q.—Then you went to Oxford street; and was that residence at some greater distance from Mr. Beecher than your more recent residence? A.—Yes, Sir.

Q.—In another quarter of the town? A.—Yes, Sir.

Q.—And how long did you live in Oxford street? A.—I could not say.

Q.—A number of years? A.—Yes, Sir; a number of years.

Q.—And you cannot give us the beginning or the end of the period? A.—My impression is that I moved away from Oxford street about eight years ago; I would not be certain—eight or nine years ago.

Q.—Well, did you go from Oxford street immediately to your present residence, or did you go to Mrs. Morse's family? A.—My impression is that I went directly to my house which I had bought; but all such dates lie in my mind in great obscurity; still I will endeavor to find them for you.

Q.—And how far back, then, will your present memory place the date of your going to your present Livingston street house? A.—I should think eight or nine years ago.

Q.—That would be about 1865? A.—1866.

Q.—1865 or 1866? A.—Yes, Sir; I think I went there in the Fall of 1866. That is my present recollection.

Q.—Now, Sir, in the early years of your married life was Mr. Beecher in the habit of going to your house while you were in Oxford street, or where you resided previous to that? A.—No, Sir, he was not.

Q.—Were you or your wife in the habit of going to his house? A.—I was in the habit of going to his house, but my wife was very shy and modest, and seldom went with me.

Q.—You were there very frequently in connection with your employment, I suppose? A.—Yes, Sir.

Q.—Your employment was such as to carry you to his house? A.—During the early stages of my assisting Mr. Beecher, when he was chief editor of the *Independent*, I went to his house carrying him proofs, and having consultations, and so forth, with him frequently.

Q.—Did you not report his sermons? A.—Yes, Sir; but he did not deliver his sermons in his house.

Q.—Did you report his sermons before that? A.—Yes, Sir. He did not deliver his sermons at the house.

Q.—I did not know but perhaps he read them over. A.—I do not remember that that took place at his house so much as after I became his assistant editor.

### HE URGED BEECHER TO VISIT HIS FAMILY.

Q.—Now, during those earlier years, did you urge upon Mr. Beecher to be more frequent in his visits to your family and house? A.—Yes, Sir. We used to be glad at his coming, and always asked him to come again, and scolded him when he did not come.

Q.—You understood, at that time, that your wife had a great admiration for him, did you not? A.—I do not think I asked him to come so much on her account. In those early years she regarded him as a man she was a little afraid of.

Q.—So I understand—at least I have seen it so stated. But don't you remember urging him to come because your wife had so great an admiration for him, and wished him to come? A.—Not exactly that, Sir.

Q.—You urged him to come for that reason? A.—I urged him to come for this reason. I always wanted Elizabeth to share in anything that I had, and I thought at that time evidenced more respect for me than he did for my wife. Therefore I wanted him to come and make himself a guest in my house, not only for my own sake but for his.

Q.—Didn't you feel in those earlier years of your intimacy with Mr. Beecher, that in comparison with some other of his parishioners, and considering your intimate relations with him, he rather slighted your family? A.—Yes, Sir.

Q.—And didn't you urge him to repair that wrong by coming there to please your wife? A.—To please me by coming there.

Q.—Well, to please your wife? A.—I always considered that any slight to Elizabeth was a slight to me.

Q.—Did he ever slight her? A.—In this sense: he was with me on the street, to the picture galleries, with me to the libraries, with me everywhere, around town with me, and seldom came to my house, and I thought I was stealing away too large a share of him.

Q.—It was for that you chid him and urged him to come to your house? A.—Yes, Sir.

Q.—Did you not use expressions of this kind to him: That there was a little woman at your house that loved him dearly, and urge him to come? A.—I don't know whether I did or not, but if I had it would have been perfectly true.

Q.—Just so. Now, after your removal to your present house—after you left Oxford street, and before the period of 1868 we will say; now, were Mr. Beecher's visits at your house more frequent than they had been at Oxford street? A.—Oh, yes, Sir. I don't remember that he was ever in my Oxford street house but once; If he was I don't recollect it.

Q.—At any rate there was a very great difference in that respect? A.—Yes, Sir.

### WHEN HE BEGAN TO BE ABSENT FROM HIS HOME.

Q.—Now, when did you begin to be absent from your family for the purpose of your lectures. I mean for any lecture season, or period of time? A.—I am afraid I cannot answer that question; my present impression, though I fear it will not be altogether accurate, is that my first prolonged trip of lecturing, in the far West, was in the Winter of 1864-5; somewhere there; perhaps I am wrong about it.

Q.—Well; and from the time that that habit of your life commenced did it continue every season, and up to what time? A.—It continued almost every season. My impression is that in the Winter of 1870 and 1871—yes, more than my impression, my exact knowledge is that I did not lecture.

Q.—That has been stated before. But you did lecture in 1871-2? A.—Yes, Sir.

Q.—And was that the last year of your season lectures? A.—It was the last season in which I made any extended trip.

Q.—Then in 1864-5, if that was the commencement, and up to 1871-2, with the omission of 1870-71, you had this employment a portion of your year? A.—Yes, Sir.

Q.—Now, with reference to your lectures and this employment of yours—this adoption of that method of public influence—was that a subject of conversation between you and Mr. Beecher; was that one of the things in which you and he, and his interest in you, made the subject of conversation with you, or your confidence in him made a subject of conversation with him? A.—I do not remember of ever having any talk with him with regard to my lecturing. If I had, it does not come to my mind at present.

Q.—Now, before going on these seasons of lecturing, do you remember having desired Mr. Beecher to call upon your wife during your absence? A.—I do not think I ever made him any such request later than the time of that Cleveland year; perhaps I did, but I don't know that I did.

Q.—You mean later than that occurrence? A.—Yes, Sir.

Q.—And before that you did? A.—I think quite likely I did; yes, Sir.

Q.—And was it the habit of your wife, in those daily letters that you have spoken of to you, to mention Mr. Beecher's calls? A.—Yes, Sir.

### HIS VISITS TO BEECHER'S HOUSE.

Q.—How frequently were you and your wife visitors or guests at Mr. Beecher's house, and through what period of time? A.—The last time I was ever at Mr. Beecher's house, that I remember, was when our Army lay at Bladensburg, if you remember that date, when I came from Washington with a commission for his son.

Q.—Well, you connect it with that circumstance? A.—Yes, Sir; it was when Simon Cameron was Secretary of War.

Mr. Evarts—Well, that was about 1861.

Mr. Shearman—Yes, 1861.

Q.—Well, you think that was the last time you were ever at his house? A.—I believe that was the last time; nevertheless, I may have been there since; if so I do not remember it now.

Q.—Your not going to his house after that period is not an indication that there was any change in your relations with him at that time, is it? A.—No, Sir, not with him personally; I could not explain why I did not go there after that period without involving the name of a lady of his household.

Q.—I suppose it is unnecessary, perhaps, to go into details, but was your absence owing to any disposition on your part toward Mrs. Beecher, or any disposition on her part toward you? A.—Yes, Sir; owing to a disposition on her part toward me.

### HE SAVED BEECHER'S SON FROM DESTRUCTION.

Q.—This occurrence that brings Bladensburg to your mind was an occasion on which you performed what Mr. Beecher regarded as a very great personal service for him, was it not? A.—He so regarded it—yes, Sir.

Q.—And so far as your disposition in the act, it was entitled to be regarded as an act of friendship on your part, was it not? A.—I always thought he overestimated the service, and gave me more gratitude than my act required.

Q.—Than it deserved, perhaps, in amount, but in disposition your purpose was friendly as the act was friendly, was it not? A.—My pur-

*Continued on Sixth Page.*

# The New York Times.

WITH SUPPLEMENT.

NEW-YORK, FRIDAY, FEB. 5, 1875.


*AMUSEMENTS THIS EVENING.*

ACADEMY OF MUSIC.—Bohemian Girl (English Opera)—Miss Kellogg, Mme. Van Zandt, Mr. Carleton, Mr. Peakes.

FIFTH AVENUE THEATRE.—Women of the Day.—Mr. James Lewis, Mr. George Parkes, Miss Fanny Davenport, Miss Sara Jewett.

WALLACK'S THEATRE.—The Shaughraun—Mr. J. B. Montague, Mr. Dion Boucicault, Miss Ada Dyas.

UNION SQUARE THEATRE.—The Two Orphans—Mr. John Parselle, Mr. C. R. Thorne, Jr., Miss Fanny Morant, Miss Kate Claxton.

LYCEUM THEATRE.—As You Like It—Mrs. Rousby, Mr. George Clarke.

LYCEUM THEATRE.—Camille—Mrs. Rousby, Mr. George Clarke.

OLYMPIC THEATRE.—Vaudeville and Variety Entertainment.

BARNUM'S ROMAN HIPPODROME.—Equestrianism, Athletics—Menagerie—Museum—Open afternoon and evening.

PARK THEATRE.—Girofle-Girofla (Opera Bouffe)—Mlle. Minetti, Mlle. Dorel, M. Duplan.

WOOD'S MUSEUM.—Dramatic Performance—Curiosities—Afternoon and evening.

BOWERY THEATRE.—Rogues of New-York—The Bear Hunters—Mr. J. B. Studley.

STEINWAY HALL.—Grand Concert by the Jubilee Singers of Fisk University, Tennessee.

ROBINSON HALL.—Personation and Songs by Mr. Frederic Maccabe.

BRYANT'S OPERA HOUSE.—Minstrelsy—Negro Delineations, &c.—Mr. Bryant, Mr. Emerson.

SAN FRANCISCO MINSTRELS.—Minstrelsy and Negro Comicalities—Messrs. Birch, Wambold, and Backus.

NATIONAL ACADEMY OF DESIGN.—Exhibition of Water Color Paintings.


*THE NEW-YORK TIMES.*

The New-York Times is the best family paper published; it contains the latest news and correspondence. It is free from all objectionable advertisements and reports, and may be safely admitted to every domestic circle. The disgraceful announcements of quacks and medical pretenders, which pollute so many newspapers of the day, are not admitted into the columns of The Times on any terms.

TERMS TO MAIL SUBSCRIBERS.

| | |
|---|---|
| The Daily Times, per annum, including the Sunday Edition | $12 |
| The Daily Times, per annum, exclusive of the Sunday Edition | 10 |
| The Sunday Edition, per annum | 2 |
| The Semi-Weekly Times, per annum | 3 |
| The Weekly Times, per annum | 2 |

CLUB RATES OF THE WEEKLY.

| | |
|---|---|
| Five Copies (per annum) | $7 50 |
| Ten Copies (per annum) | 12 50 |
| Twenty Copies (per annum) | 22 00 |
| Thirty Copies (per annum) | 30 00 |

And One Extra Copy to Each Club.

For every club of fifty, one copy of The Semi-Weekly Times to the getter-up of the club.

CLUB RATES OF THE SEMI-WEEKLY TIMES.

| | |
|---|---|
| Two copies, one year | $5 |
| Ten copies, one year, (and one extra copy free,) | 25 |

New names may be added to clubs at any time during the year, at club rates.

The Semi-Weekly and Weekly mailed one year to clergymen at the lowest rates.

These prices are invariable. We have no traveling agents. Remit in drafts on New-York or Post Office Money Orders, if possible, and where neither of these can be procured send the money in a *registered* letter.

Terms, cash in advance.

Address THE NEW-YORK TIMES.
New-York City.


*NOTICE.*

We cannot notice anonymous communications. In all cases we require the writer's name and address, not for publication, but as a guarantee of good faith.

We cannot, under any circumstances, return rejected communications, nor can we undertake to preserve manuscripts.

*This morning* The Daily Times *consists of* Ten Pages. *Every news-dealer is bound to deliver the paper in its complete form, and any failure to do so should be reported at the publication office.*

*THE UP-TOWN OFFICE OF THE TIMES.*

*A new branch office of* The Times *has been established at No. 1,257 Broadway, between Thirty-first and Thirty-second streets, for the convenience of our up-town patrons, and is open daily, Sundays included, from 4 A. M. to 9 P. M. Advertisements and subscriptions received, and copies of* The Times *for sale. Dealers supplied at 4 A. M.*

*THE TIMES FREE OF POSTAGE.*

*We beg to state that Postage will be paid at this office, free, on all Editions of* The Times *sent to Subscribers in the United States, under the new Law which took effect on the 1st inst.*

The Civil Rights bill was under discussion all day in the House, yesterday. Among the opponents of the measure were found Mr. Sener, of Virginia, and Mr. Stanard, of Missouri, both Republicans, and their arguments were offered strictly from a Republican standpoint. The course of these gentlemen is significant. They represent that element of strength in the South which might with great advantage be fostered by the Republican Party, but which the Civil Rights bill necessarily repels. We have no doubt that the party might gain very much more by respecting the views which these gentlemen present than by the legislation which is proposed touching the colored people.

In the course of the debate, Mr. Brown, of Kentucky, a modern specimen of the old type of "Young Southerner," with which the country was familiar before the war, made a savage attack on Mr. Butler, of Massachusetts. Quite contrary to his own intention, Brown conferred on Butler the greatest possible kindness, for he compelled the House to make the cause of the latter its own. Mr. Dawes, warmed by the remembrance of his experience of Southern temper in times past, proposed to have Brown expelled for what was plainly a gross violation of the privileges of debate; but he finally withdrew this proposition, and a motion of Mr. Hale, of New-York, was passed, by which the offending member was called to the bar and censured. Brown's course disgusted the decent Democrats quite as much as it incensed the Republicans, and probably the sober men of both parties regretted having been involved in so exciting and unpleasant a disturbance by members on each side for whom their associates can have but little respect.

The appointment of Mr. Lane as City Chamberlain was one of the few unexceptionable appointments of the late Mayor. Mr. Lane has had the singular good fortune of exercising very important functions without exciting either official or popular enmities, and he retires from his position with the enviable reputation of a thoroughly capable, prudent, and trustworthy public servant. In accepting his resignation the Mayor pays a very handsome tribute to his worth, and expresses his sense of the responsibilities attached to the Chamberlain's office in a way which encourages the belief that he will be very careful in selecting Mr. Lane's successor. The candidates for an office which involves the necessity of finding sureties to the amount of a million of dollars are not likely to be numerous.

We continue to-day the publication of our reports of the Beecher trial. We may fairly say that these reports are not only full and accurate—the only really *verbatim* reports which are published—but that there is no attempt made in them to prejudice the case, on one side or the other. Mr. Tilton had at one time in his life the desire to become editor of the *Tribune*, and the present editor of the *Tribune*, although belonging to the same "set," and even assuming the outward and visible adornments of it, can never forgive Mr. Tilton for entertaining that ambition. Hence the reports in the *Tribune* are often garbled so as to injure the plaintiff, and are seldom accurate, even though the paper has adroitly contrived to make the lawyers pay part of the expenses of the report. The proceedings are reported in these columns without eleemosynary assistance, and are printed in readable type. We only hope that our readers find them more interesting than we do.

Senator Fox seems likely to distinguish himself this session as the parent of sundry disreputable bills. He has introduced a measure whose counterpart has been been defeated in two successive Legislatures—the bill, namely, to legalize the claims of the Warden of Ludlow Street Jail for the board of prisoners confined on civil process. We cannot say whether the bills of Warden Dunham are as exorbitant as those of Warden Tracy, to which it was attempted to give validity through the action of the Legislature. But any special act for the benefit of the new incumbent is just as objectionable on principle as the bills introduced for the benefit of his predecessor. If the claim is a just one, its payment can be secured in New-York; if not, the Legislature has no right to make it binding on the City. Gov. Dix steadfastly refused to sign bills of this character, and it is to be hoped that Gov. Tilden will do the same. They are against the spirit, if not against the letter of the Constitution, which prohibits the Legislature from either auditing or allowing any private account against the State. Another bill, introduced by Senator Fox, proposes to give the Aldermen a voice in the distribution of the Excise moneys among charitable institutions. Apart from the inexpediency of this innovation, it would be well to first ascertain whether, under the amended Constitution, the Excise moneys can be spent for charitable purposes at all.

*LOUISIANA.*

In a careful and able letter which we publish this morning, Mr. E. W. Stoughton, of this City, discusses the situation in Louisiana, and explains and defends the proposition for a new election as a remedy for existing difficulties. We hope that all who are interested in this question, and certainly every intelligent citizen should be so, will read Mr. Stoughton's letter with care. It is by far the clearest statement in brief of the actual situation, and the most forcible argument for a new election, that has been yet made. It will be remembered that Mr. Stoughton is a Democrat, and a Democrat "of the old school." He is not inclined to find excuses for the course of the Republican Administration, or to weaken any ground of complaint which the opposition may have to the policy of that Administration. But he regards this question as one in which the interests of the whole country are at stake, and in which the obligation of both parties to find a peaceful and adequate remedy is the same. He especially dwells upon the duty of the Democrats in Louisiana to submit to the constituted authorities, and the duty of the President to compel them to do so if they refuse.

Referring to the proposition made in Congress by the Democratic leaders to require the President to withdraw the troops from the State, he denies that the President either can or ought to follow that course. Being bound by the Constitution to decide as to which is the legal Government, and having decided that it is the Kellogg Government, he is equally bound to hold himself in readiness to suppress resistance to that Government, supplying all necessary means, military or other, to that end. But Mr. Stoughton believes that there is a plan which can go beyond the suppression of resistance to the *de facto* Government, and which can remove the cause of that resistance and of the violence which exists. This he believes to be the ordering of a new election, to be held under the direction of Congress, by agents provided by Federal law, and in accordance with such detailed provisions as may be enacted.

We have already discussed this plan, as proposed and so ably supported by Senator Carpenter last Winter; but Mr. Stoughton now takes up a phase of the question which Mr. Carpenter passed lightly over, and which is obviously a very important one, namely, the power of Congress, under the circumstances, to order an election for a State Government, and he supplies some ingenious and original arguments in support of the existence of such a power. We are compelled to say, however, that we do not find these arguments conclusive. They are grounded on the two several portions of the fourth section of the fourth article of the Constitution, by one of which it is made the duty of the United States to "guarantee to every State in this Union a republican form of government," and by the other of which it is made the duty of the United States to "protect a State (under certain conditions) against domestic violence." Mr. Stoughton argues that the first portion of the section referred to contemplates a guarantee of a "true representation of the people," and that a Government placed in power by illegal, fraudulent, or violent means cannot be such a form of government as the Constitution requires. But we do not think it possible to show that "the purpose the framers of the Constitution had in view" was such as Mr. Stoughton describes. On the contrary, repeated and careful examination of the recognized authorities on this point confirms us in the opinion that the framers of the Constitution had distinct and exclusive reference to the "form of government," which must be gathered from the Constitution of the State, when there is one of undisputed authority, or from such other declared principles as are acknowledged by those in possession of the Government to be the source and standard of their powers. It is not conceivable that they contemplated a guarantee of the efficacy and enforcement of the Election laws by which any one set of officers are chosen in a State. If we are to suppose that this was their purpose, it was expressed with an indirectness, an ambiguity, and a weakness which are nowhere else to be found in the Constitution. We cannot believe that the framers of the Constitution meant in so vague and unsatisfactory terms to confer on Congress any such extended power of minute and discretionary intervention in State affairs. Every one must see that the interpretation of the Constitution suggested by Mr. Stoughton, places in the hands of Congress an amount and variety of power over the States never before claimed, which in our opinion, the country never would grant except upon deliberation and in carefully-guarded terms, and which no Congress would be justified in assuming upon mere inference.

As to the idea of suppressing domestic violence by removing its cause—that is, by dispossessing the Government to which violent opposition is offered, and ordering an election for a new one—this strikes us as being a still more sweeping interpretation of the Constitution. If we are to read the Constitution in this way, we confess that we can see no limit to the powers that Congress can derive from it. In view of the possible political changes which the Government may undergo within the next few years, we should regard with great uneasiness any act of the Republican Party establishing a precedent for such methods of interpreting the organic law. The value of that law is not less in limiting than it is in conferring power on the General Government, but "limit" is a term that seems a good deal like abuse of language, if employed to describe a constitution so elastic as this method of reading it would make our own. Mr. Stoughton's defense of his suggestion is, as we have said, extremely ingenious, and we know that in his case the reasoning is entirely sincere; but if his suggestion were adopted, the field opened for ingenuity just as great and by no means so honest would be boundless.

For ourselves, we may say that we do not believe that there is any perfect remedy for the difficulties in Louisiana within the reach of the National Government. Those difficulties have their root in part in elements of disorder which the National Government cannot control, and certainly cannot remove. Still the Administration could do a good deal. If Congress would define the powers and duties of the President in the use of troops—especially requiring as a condition precedent to using them at all, that the State Government should employ all its own resources—that would do away with many liabilities to error and misunderstanding. Then, as we have often pointed out, if the President would place men in the Federal offices in Louisiana who deserve respect and could command it, and who would let State politics alone, as the President himself has once directed that all his appointees should, that would also be likely to do good. But it is, we regret to say, next to impossible that, at this late day, anything definite can be accomplished, and the President will probably be left with the duty imposed upon him of maintaining such order as he can by such means as he has heretofore been compelled to employ.

*THE CITY DEBT.*

At the end of last week the net amount of the bonded debt of the City, payable from taxes, assessments, and the sinking fund, was one hundred and thirteen millions of dollars. The new Board of Aldermen have either already passed or have under consideration resolutions providing for the opening of new streets which will involve the borrowing of several millions more. Special laws, affecting the expenditures of the Departments of Public Works, Parks, and Docks, are on the statute book, under which at least five millions may be added to the City debt within the year. In accordance with these laws, bonds to the amount of about half a million of dollars were issued in January, in addition to eight hundred thousand dollars of "assessment bonds" for street improvements. The City, in short, has begun the financial year with a ratio of debt increase equal to fifteen millions of dollars for the whole of 1875; and yet the cry is, that public works are at a stand-still; that unemployed laborers must be provided for without respect to the season or the securities of the system of public letting of public work, and that the City must, at least, double the extent of its borrowing operations to keep pace with the policy of its new Democratic rulers.

If the tax-payers have any protest to make against this system, they had better make it now. The City has been brought to the verge of ruin already by the policy of allowing Municipal business to take care of itself. Our present debt is equal to a mortgage of thirteen per cent. upon the assessed valuation of the real estate of the City. Twenty-five cents out of every dollar of taxation go to the payment of interest on the City debt. The tax-paying resources of the City are decreasing, and will continue to decrease till we have reached the end of the present process of contraction in values. To persist, under these circumstances, in the policy of increasing the debt at the rate of from thirteen to twenty-five per cent. per annum is simply ruinous. It will make the burden of living in New-York equally intolerable to the wealthy tax-payer and the poor inmate of a crowded tenement. It will help our commercial rivals to take away our trade, and will paralyze either public or private efforts to carry out the enterprises necessary to maintain the business supremacy of the City. Our Commercial Boards and Exchanges have as deep an interest in this matter as the impoverished real estate owner who is struggling to keep his property from a forced sale. The people who ought to exercise an influence over public business have hitherto been chiefly distinguished by their capacity for being wise after the event. Now that the City seems about to make another headlong plunge into debt, they ought to take some means of expressing their opinion on the subject, unless they propose to quietly accept the risk of being parties to such a proceeding.

It is tolerably obvious that it is impossible to avoid all increase of the City debt. But it is equally obvious that no increase ought to be sanctioned, in times like these, which is not to be expended on public works of pressing necessity or of an immediately remunerative character. The opening of new streets, which not even the adjoining property-owners want, or additions to our already overdone boulevard improvements, which are only wanted by a few speculative holders of up-town lots, do not fulfill the conditions which ought to attach to the issue of new bonds. Yet it is precisely for such objects that the tax-payers are threatened with a large increase of their permanent burdens. The Controller tried, at yesterday's meeting of the Board of Apportionment to get that body pledged to some intelligible and salutary rules about the issue of new bonds. But, by a somewhat extraordinary ruling, the resolutions were declared to be foreign to the purpose of a board which claims the right to authorize every dollar of bonded debt contracted by the City. Meanwhile, therefore, the Aldermanic mill of street-opening resolutions may continue to grind out new methods of unnecessary expenditure, and the departments may continue to contract obligations under special laws in the full confidence that the Board of Apportionment will not interpose for the protection of the tax-payers. Clearly, the time is opportune for the tax-payers to attempt, at least, to find some method of protecting themselves.

*CROSS-EXAMINATION.*

Some of our readers may not have heard of the young lady who, having been subjected as a witness to a very severe and exhaustive questioning from the lawyers on both sides, turned, as she was about retiring, and said that she knew if she came to court that she'd have to be cross-examined, but that she thought that old gentleman there needn't have been so very cross about it, for all that. Delivering which parting shot, she disappeared from the legal horizon. It would seem as if there are many people who have a very vague and confused notion of what cross-examination is, and what is its purpose. Its nature is indicated by its name, which it has received because it crosses, or traverses, the line of evidence upon the direct examination. Its purpose is not to prove or directly to disprove anything, but to shake and to overthrow evidence already before the jury. This it accomplishes in various ways—by showing that the witness' memory is defective or inexact; that his assertions at one time are inconsistent with those that he has made under oath in the case; that from some prejudice or a strong self-interest his testimony, although it might be good upon other points, is on the one at issue not to be trusted; by putting him in the light of a weak-minded man, who has confused notions of everything; by showing that his life has been such that, upon the subjects as to which he has been called to testify, he is what some people call "an unreliable man," and in general by every means that may cause the jury to doubt his capacity, his veracity, or his memory.

It will be seen that this field affords a very wide range to the questions of cross-examining counsel, and the fact that it does so explains the difficulty which many persons find in perceiving the drift of a question, sometimes of a series of questions, on a cross-examination. This difficulty is the more likely to occur to the non-professional reader or spectator, because a good cross-examining counsel, instead of plumping right down upon the point he has in mind, makes his approaches from a distance, often beginning as far away from his objective point as the subject will admit of, lulling the suspicions of the witness, dexterously interposing other subjects between the mind's eye of his victim and the one to which he is gradually and imperceptibly drawing him, when at last he asks the question for the sake of which he has gone through all this manœuvring; and if the answer is as he expects it to be, he has made his point; and the witness, if he is bright enough to understand the tactics, feels perhaps somewhat silly and abashed. But sometimes a bold cross-examiner, with a very strong case, will at once and bluntly put a question to a witness that will leave him stammering or speechless, and shiver the evidence of his direct examination to pieces at a blow. This mode of proceeding, however, is almost entirely confined to cases in which the side that cross-examines has good reason to believe that there is conspiracy or perjury, or those in which it has been discovered that the important witness is a criminal, or in particular, has some criminal or infamous connection with the case. But it would be quite as important, and even more so, to show that a witness was *non compos*, as that he was criminal or infamous; and even when that cannot be shown, a very near approach to it may sometimes be brought about. The existence of monomania in a witness, upon a subject having relation to the one at issue, would of course utterly invalidate his testimony on that point; and as it has been said that we are all more or less monomaniacs on some one subject, the chances of showing a certain degree of this mental disturbance, and so of impairing the value of evidence given, are enough to cause the cross-examiner in many instances to test the witness in this respect. Courts allow great latitude in probing the mental and moral condition of witnesses; and consequently many questions are asked with this purpose, which seem to laymen to have nothing to do with the case.

But however great the latitude in other respects, all questions on a cross-examination which have to do with the case directly should touch subjects which were brought up by the direct examination. In other words, counsel cannot use a witness who is giving evidence for the other side as if he were directly testifying on their side. If they were allowed to do so, the continuity of the case on either side would be entirely broken up. The plaintiff sets out to put his case before the jury. The evidence of each one of his witnesses, and the connection of their evidence, is a part of that case. The defendant may shake any part of the evidence which has been given; may test it, and probe it in almost every way, so that its effect may be reduced to an almost inappreciable remainder, or may be destroyed altogether. But he cannot ask the witness questions which establish (excepting very indirectly) the defense; because that would be to make the prosecution and the defense go on together—an illogical and unsystematic procedure that would result in confusion, fatal alike to decorum and to justice. If one side wishes to use, for its own purposes, a witness produced by the other, they must do so by making him their own witness, by a direct examination in the course of the presentation of their case; and then he will in turn be subject to cross-examination by the very counsel by whom before he could only be questioned directly; and so it may go back and forth through a long trial. A direct or a re-direct examination always involves the right to a cross-examination as to the points brought up in the direct; and a cross-examination, from its very nature, cannot be without a direct examination which it crosses.

*CRUELTY TO CHILDREN.*

Four little fellows, aged from eleven to fifteen years, were sentenced to the House of Refuge the other day for having broken into houses. If they had been grown men, they would have been convicted of "burglary in the day-time," and sent to the Penitentiary. As it was, they were anxious to pass themselves off as big enough to be put into the Penitentiary rather than the Refuge, in which latter place they must stay until twenty-one years old. There is something profoundly pathetic in this little incident, common though it unhappily may be. Somebody ought to be responsible for such a perversion of moral instincts—such a vicious training as these boys must have received. They represent a large class of children out of the reach of the admirable charities now in existence. Most of the juvenile culprits are the children of heartless and cruel parents. They are forced into the streets to pick up a living as they can. If they have vicious parents, they early receive lessons in crime. If they are badly treated at home, driven out to subsist on what they can find, they might be rescued under the influence of an organization to prevent cruelty to children. The poor little, half-clad beggars who sweep the crossings, beg all day, or spend the night wandering through the wind-swept streets, soon learn to steal and break into houses. It is not easy for any association for the protection and relief of children to rescue these young pupils in crime. The young unfortunates have unnatural parents and guardians who have a legal claim upon them; and they enforce it whenever occasion requires. Thus the great army of active criminals is always kept full. Society annually pays a round sum in an ineffectual attempt to punish and reform these waifs of the streets.

This parental neglect, or partial abandonment, is only one form of cruelty to children. It appeals more sensibly to observation because its effects are constantly seen in various forms of juvenile crime. But there are other phases of the great evil, some of which come to light in the Police reports. The stories of hapless children left to drag out a painful existence in back streets seldom get into print. Once in a while, humanity shudders over the recital of the sorrows of some little drudge, whose owners beat and abuse her; and occasionally some such child as Mary Ellen, rescued by Mr. Bergh, is made the text for a sermon or an essay, which is read and soon forgotten. It is now proposed to charter an association for the enforcement of the laws of the State for the protection of children from cruelty. These statutes are ample and kindly in their scope, but as things stand now, it is nobody's special business to enforce them. It will be the mission of this society to go out into the streets and highways and rescue the little people left to take care of themselves and grow up in crime. The charter proposed for this organization is now before the Legislature. Its officers are John D. Wright, President, and James Brown, Peter Cooper, William E. Dodge, Jonathan Thorne, Robert L. Stuart, August Belmont, Theodore Roosevelt, Henry Bergh, Elbridge T. Gerry, and Cornelius Vanderbilt, Vice-Presidents. The society is pledged to non-sectarian action, and we doubt not that it will receive the support of all generous and thoughtful citizens. Certainly it has a large as well as noble work before it, and when it is fairly launched, it will be able to accomplish a great public benefit.

*A WESTERN ARCADIA.*

There is something strange in the recital of the adventures which latterly befell Mr. Elisha Gibbs of Colorado. They are as romantic as anything of which we read in fiction; and the philosophical manner in which Gibbs underwent them can but elicit admiring comment. They give us a glimpse into the poetry of a rough, free, and independent life, which we of the crowded East are scarcely capable of fully appreciating. They are told by the Rocky Mountain papers in the most matter-of-fact way, as if they were by no means especially startling occurrences. We some time since referred to the war between the sheep farmers and stock-raisers in Colorado, and the ease with which both animals and men were slaughtered in these pastoral hostilities; and Mr. Gibbs' story will serve to illustrate the small estimate placed upon human life, and the insecurity thereof, on the vast and sparsely-settled plains.

Mr. Gibbs had the misfortune, during a trifling "unpleasantness," engendered by some little difficulties concerning boundaries and pasturage, to slay an individual named Harrington last October. He went into the rustic court near the locality where the affair occurred, and was triumphantly acquitted. He thereafter tranquilly pursued his peaceful avocations on his ranch until one night early in the present month, when an ominous knocking at the door of his log cabin announced the arrival of the "Vigilantes." These persons, not having been satisfied with the decision of the court which held Gibbs guiltless of Harrington's murder, had long awaited a favorable opportunity to get satisfaction out of Gibbs' body, and therefore, on arriving at his door, bade him straightway forth to suffer death. But after Gibbs had inquired satirically from within "if morning would not do as well," and had otherwise indicated his supreme contempt for any such small affair as an encounter with fifteen Vigilantes, the attacking party proceeded to extreme measures, and began heaping brushwood before the cabin wall, with the intention of roasting Gibbs and his family. Upon this the Arcadian placidness of the Colorado shepherd vanished, and he opened his battery of small arms on the besiegers. In his narrative of the battle, which he gave to the Denver reporters, he says he thinks he could have killed two men who were spying the cabin on the south side, but that he preferred to spare them and get a shot at a man who seemed the leader. This latter person got out of the way, however, and presently the mass of the Vigilantes came with new piles of hay and wood, when Gibbs carefully and with much precision, considering that there was no moon, killed three of them.

The living Vigilantes then ran away, and Mr. Gibbs, mounting his horse, rode to the nearest settlement and gave the alarm. Thirty of his friends responded, well armed and ready for any fray. Together the party rode to the nearest Court-house, where the shepherd Gibbs once more made confession of a few trifling cases of homicide in self-defense, and was, of course, acquitted. Upon this the so-called Vigilantes reappeared, and advertised their design to hang not only Gibbs but the officers of the court which had exonerated him. The local narrative informs us that "it was not pleasant for either Gibbs' near relatives or intimate friends to be around about this time;" so that the adventurous Gibbs, the local Justice of the court, and two friends who promised to help in any fight which might occur, departed hastily on muleback, and each armed with two revolvers and a shot-gun. While plodding toward Denver across the great "South Park," they were almost overtaken by the ever-vindictive Vigilantes, whose vigilance appears to have respected the law quite as little as the person of the hated Gibbs. A running battle ensued, and lasted until many pounds of buckshot had been exchanged, many miles had been traversed, and the pursuers were at last inclined to withdraw. The Justice, the friends, and Mr. Gibbs then cantered on to Denver, where Gibbs ensconced himself in jail, being fearful that some stray party of Vigilantes from his township might even make a dash into the Rocky Mountain metropolis in search of him. He appears to regard the whole affair as a matter of course, and assures the admiring reporters who interviewed him in Denver that he shall go back to his ranch as soon as the feeling against him has subsided a little. It requires something more than a few Vigilantes and some small and unimportant killings to permanently ruffle the serene temper of such an artless Arcadian as the gentle-minded Gibbs. As to the Justice of the local court, he will hardly return to his native heath until the Vigilantes have assured him that they no longer harbor any animosities against him. But the chances are that they will finally be magnanimous, and that Arcadia will have its court again.

*THE PACIFIC MAIL INVESTIGATION.*

TESTIMONY OF MR. WILLIAM M. TENNEY AS TO THE CERTIFICATES OF DEPOSIT IN FAVOR OF SCHUMAKER.

Washington, Feb. 4.—The Ways and Means Committee, at the conclusion of a long session to-day on taxation and revenue questions, had an open session of a few minutes' duration in which Mr. William M. Tenney was further examined regarding the certificates of deposit issued by Jay Cooke & Co. in favor of John G. Schumaker. Nothing new was elicited, the witness being able merely to show from the books the connection between the certificates and how, for instance, the first was retired upon Schumaker's indorsement, by issuing another for a less amount and paying the difference in cash.

Mr. Tenney repeated his statements of yesterday that he had no acquaintance with Schumaker, and no personal recollection or other knowledge of the transactions of the bank in regard to these certificates or the checks cashed.

*MINNESOTA.*

ANOTHER INEFFECTUAL BALLOT FOR SENATOR.

St. Paul, Minn., Feb. 4.—The vote for United States Senator on joint ballot in the Legislature to-day was as follows: Ramsey, 54; Lochren, 51; Davis, 32; Pillsbury, 8; scattering, 7. Davis received his largest vote to-day. His accessions were from the Democratic side, but it is not believed he will get votes enough from that or any other source to elect him.

REPORTS ON THE ALLEGED ATTEMPT TO BUY A VOTE FOR RAMSEY.

St. Paul, Minn., Feb. 4.—The Committee which the House appointed to investigate the charge of the attempted bribery of one of the members of the House by a friend of Mr. Ramsey, to induce said member, [Mr. Ingerson,] to vote for Mr. Ramsey, made two reports this morning. The majority report transmits the evidence taken in the case and makes no recommendations, but leaves the House to decide. The minority report says after a full investigation that it is their opinion that a bona fide offer of five hundred dollars was made to Mr. Ingerson by W. H. Dyke, provided he would vote for Mr. Ramsey, for Senator, and appropriate action is recommended for the punishment of Mr. Dyke. The evidence was quite contradictory and it is understood that none of the members of the committee believe that Mr. Ramsey knew of it or countenanced the alleged attempt. Mr. Dyke was partially drunk when his conversation with Mr. Ingerson took place, and he asserts that the nature of his conversation was totally misconstrued by Mr. Ingerson.

*WEST VIRGINIA.*

NO CHOICE FOR SENATOR YET.

Charleston, West Va., Feb. 4.—A ballot for United States Senator was taken to-day with the following result: Johnson, 27; Walker, 22; Brannou, 15; Price, 15; scattering, 6.

*OPENING OF THE CANADIAN PARLIAMENT.*

Ottawa, Feb. 4.—The second session of the third Parliament of the Dominion was opened to-day by the Governor General. His Excellency's speech from the throne referred to a number of important subjects; among others, to the progress made in the establishment of a settled Government for the North-west Territories; to the negotiation of a treaty with the Crees and the Saulteaux Indians, and to the successful operations of the North-west Police force in the creation of confidence and good will among the Indians and the suppression of the liquor traffic; the collection of Customs duties and the security afforded to life and property, with the further result of a large reduction of the military force in the country. Measures are promised for the creation of a Supreme Court on the subjects of insolvency, insurance, and copyright, and for the reorganization of the Government of the North-west. Reference is made to the progress of the Pacific Railway work, to the generally prosperous condition of the country, and to the measures adopted to promote emigration from Europe to the Dominion.

*THE SCHOOL TROUBLES IN NEW-BRUNSWICK.*

Bathurst, New-Brunswick, Feb. 4.—The excitement in town is perceptibly abating, and it is understood the troops will take their departure to-day as there is no probability of further disturbances. The evidence at the examination of the prisoners discloses no additional facts. A verdict of murder has been returned against nine persons in the Gifford inquest. No further arrests will be made.

*WHAT IS TO BE DONE IN LOUISIANA?*

*To the Editor of the New-York Times:*

The President of the United States, his advisers, and subordinates have been freely denounced for the late proceedings of the military in New-Orleans—by Governors in their messages, by Senators and Representatives from their places in the Capitol, by resolutions of public meetings called for the display of various kinds of oratory, and by portions of the press—and yet in all of these displays we look in vain for any calm and statesmanlike suggestions of a remedy for the very deplorable condition of affairs now prevailing throughout Louisiana, and, indeed, in several other Southern States. The business of the people of that State is prostrated, if not blighted. The social relations of its people, instead of being harmonized by good feeling or controlled by law, are disturbed and lacerated by secret and by open violence. The political aspect there is, and long has been, grim and threatening; and armed organizations, varying their purposes to meet political exigencies, have been active either to overthrow a recognized Government as in September, to coerce voters as in November, or to organize and subject to their purposes a so-called legislative body, as was attempted at the beginning of the year. Military officers, not likely to be unduly excited by the presence or danger, or by rumors of armed men banded together to shed blood, have made official reports to their Government solemnly declaring their belief that but for the presence of its military arm insurrectionary violence would have culminated in murder and in the overthrow of recognized State authority; and these have been met by declarations of citizens of Louisiana that all this horrible expression of apparently lawless force, represented by armed White Leaguers, is paralleled by harmless associations for target or squirrel shooting at the North; and that really, if the iron hand of the Government were removed and its menance withdrawn, the boiling and seething elements which engender hatred of race, incite to murder of blacks, to violence at the polls, to disaffection toward State and national authorities, would subside and be finally succeeded by social order, political quiet, and a general submission to the law of the land. On the one side, it is insisted that the election of Kellogg in 1872 was the result of fraud, and his installation the work of a bad Judge, stimulated by liquor and other cause: to a wicked decision, which was enforced by the bayonets of soldiers of the United States. On the other, it is said that, although reeking with fraud, the election returns, when severed from their infamy, established his election by a majority of lawful votes; and that the Executive of our country, in recognizing him as Governor of Louisiana, acted according to the best light which at the time could be shed upon the loathsome spectacle of violence and perjury attending that election. It is not probable that mortal hands will ever unveil the truth thus mangled and concealed, or that mortal eyes will ever penetrate the hideous pall which covers the unholy work there done. It is sufficient to say that, Kellogg and his associates having been formally recognized by the National Government as duly elected, it thenceforth became the duty of every citizen to yield obedience to their authority. Any other rule of conduct would be subversive of all social order, and would lead to the worst consequences. In September an insurrection overthrew for a brief period this Kellogg Government; but, in pursuance of a duty as clear as any ever devolved upon our Executive, and not less binding than to quell insurrection in any other State, a Federal force soon restored order and a return of Kellogg to his place, who seems to have retired before a force but partly unmasked, the proportions of which, however, were so formidable as readily to overawe, and if needful to destroy, any power he could have arrayed against it. It may, I think, be inferred from this that the armed bands who did this work of violence, who organized and accomplished this insurrection, entertained no respect for that solemn obligation which binds men to respect the action and rule of constituted authorities. That it was a grievous rule to many citizens of that State need not be, and perhaps should not be, controverted. Indeed, I can well understand how galling and difficult to bear is that sway over the white race which in some States the war and its consequences have given to those who but lately were hewers of wood and drawers of water. But to this sway proud necks must bend as the Constitution and laws of our country command, until in the providence of God there shall be given to the whites a spirit so to conciliate and teach and protect the blacks that their very helplessness may be turned into strength.

Having failed in this effort of force, the Democrats organized and disciplined their numbers for the November election. Their leaders, after the open insurrection in which they had been so recently engaged, will hardly expect the world to believe that they were incapable of exercising management, and if need be force, for the purpose of overthrowing the Government they so much hated. Their political opponents say that weapons for that purpose largely consisted of terror—of intimidation—and that thus thousands who would have voted the Republican ticket were kept from the polls; and it is said that if these persons had not, through fear of violence, been kept away, a very large majority of Republican Representatives and Senators would have been elected. On the other hand, it is urged that Democrats refrained from voting through fear of United States Marshals and Deputy Marshals, and that but for the fraudulent conduct of the Returning Board, a clear majority of Democratic members of the Legislature would have been returned. Again, then, we have an election which, like that of 1872, through fraud and violence, failed to express at the polls the will of citizens entitled to go there; and, again, we find the only body authorized by law to state who were elected—the Returning Board—charged with making false and fraudulent returns, whereby the Republicans were again declared to have a majority. It was known to the Democrats before the day for the meeting of the Legislature—as to the Republicans—that the roll of Representatives gave to the latter a majority; and it was of course well known to both that if the House should be organized as the law required, a Republican Speaker and other officers would be elected. In view of and to defeat this, the man who had planned and executed the insurrection of September attempted by fraud and force so to organize the Legislature in January as to give them a majority. It has been said in attempted justification of this, that by the Constitution of Louisiana each house of the Legislature is endowed with power to judge of the qualifications and returns of its members. So is every legislative body of which I have knowledge; but what constitutes the body which is thus to judge? No lawyer, except for party purposes, will venture to say that the body which is thus to judge is to be composed in part of members whose right to sit is contested. Were this permitted, a minority, by introducing persons claiming to sit, though without shadow of right, could control a lawfully returned majority at pleasure.

Again, then, we have all the confusion, all the uncertainty, and, as averred by both political parties, all the fraud and violence, of 1872 repeated in 1874; and to this painful state of things must be added the increased exaspera-

tion on both sides, produced by two years of conflict, misgovernment, and hate.

And here, upon these facts, arises the question, what is to be done to subdue into repose elements so fraught with mischief and danger? For it is quite certain that great numbers of the citizens of Louisiana loathe its present Government, and only wait the retirement of the soldiers of the United States to rise and overthrow it. Indeed, it seems to be conceded by Senators and members of Congress, of both political parties, that so soon as this force is withdrawn, another insurrection will take place; and Democratic Senators and others have insisted—and this is probably true—that as Kellogg and those acting with him are maintained in office only by Federal power, they will flee upon its withdrawal; and they urge the removal of our soldiers that a bloodless revolution may be accomplished. So far as I have knowledge or information, this is the only remedy for the distress overspreading Louisiana suggested to the President by his political opponents; and as Senators are representatives of the entire nation, and not merely of a State or party, and as it is a part of their constitutional right and duty to advise the President upon national affairs, I desire to call attention closely to this proposed remedy, and then to inquire whether they would not regard it as a clear violation of his oath of office, and of his duty to protect every State in the Union against domestic violence, to withdraw the Federal force now in Louisiana on the state of facts assumed, which is, that such organized and powerful opposition to Kellogg and those officially acting with him exists that if unsupported by Federal bayonets they would flee and abandon the Government of that State to their political opponents. In other words, the remedy suggested is that a Governor who has long acted as such; whose term of office is yet, by law, to continue for about two years; who has been repeatedly recognized by the General Government as entitled to his place; who has once been restored to it by Federal troops after having been forcibly expelled therefrom by armed insurrectionists; who is so feebly supported by the Police and military power of the State that even a menace from the lawless force organized against him would again unseat him—should be left without Government aid to be again overthrown by insurrection so effectively armed and organized as to be irresistible. Should the President of the United States, believing, or having reason to believe, that such consequences would follow a withdrawal of the national troops from Louisiana, direct it, he would connive at, promote, and be responsible for the insurrection which should follow, and if impeached for the act could not be defended. I therefore suggest that no intelligent and just citizen will, upon reflection, advise such a course; and law-loving, law-abiding men will await with interest an answer to the inquiry, "Do those who in Congress, through the press, and at public meetings, urge this, expect that the fruits of even a bloodless revolution in Louisiana will be peace and security to her people?" Or are they willing to insist that the only shield against insurrection shall be removed, secretly hoping it may remain, not because it is a constitutional obligation of the United States thus to protect a State from domestic violence, but that party ranks may be swollen by appeals to popular prejudice to condemn men who, in discharge of their sworn duty, employ for this purpose the national force?

I think it quite apparent that the assertion so often made by Democratic legislators and orators, so repeatedly asserted by the press, and so generally admitted by candid men of both parties, that the Kellogg Government cannot stand without Federal aid, is entirely true. We must assume this, and also that it would be a violation of the President's duty to invite revolution by withdrawing this aid. He cannot close his eyes to a consequence which others so plainly see, and with them open it would be criminal in him to remove troops that insurrection might grasp success, only to re-employ them, as in September. And yet it should be the earnest desire of all citizens that the causes which demand the presence of an armed force in Louisiana should be removed at the earliest moment possible; and the great problem is, how shall this be done? If any serious attempt has been made to solve this it has escaped my notice. Suggestions have been made to that end; but while labored and able speeches have been made denouncing and defending past transactions, the policy of the future has been left dark and uncertain. It has seemed improbable that a legislative one would be adopted at this session of Congress to relieve the President and his advisers from their painful responsibility; and yet I venture to suggest such a policy to Senators and Representatives of both political parties, and I thus appeal to them because this is in no just sense a party question, but directly concerns the welfare of an entire State, the people of which cannot much longer endure the misgovernment, anarchy, and outrage to which they have been subjected. I do not understand that the Democratic Party there venture openly to declare a purpose to prevent Republican citizens, white or black, from freely voting at the polls. If, as is asserted, they entertain such a purpose, it is concealed from all but those who are to aid in its accomplishment. Nor is it suggested that any such purpose, as against Democratic citizens, is openly asserted by the Republicans. Both parties unite openly in expressing the desire that all citizens shall vote as they see fit, and although the sincerity of this is denied, any outspoken intent to interfere with this right would, by honest men everywhere, be regarded with indignation and loathing. Both parties also allege that this right has been grievously violated by their adversaries at the polls; and Democrats assert that when their political opponents have there failed of success, it has been achieved by fraudulent Returning Boards, and they insist that those who now administer the Government of Louisiana are usurpers—not elected by a majority of lawful votes, nor by any of the usual fraud and chicane practiced at elections, but that they were forcibly, and utterly without right, thrust upon the people of Louisiana, and it is also insisted that many Democrats not returned as members of the present House of Representatives were clearly elected as such, and have been lawlessly excluded. This theory therefore presents Gov. Kellogg as a mere usurper, not elected by the people, or a majority of them, but holding his office and wielding its power solely by aid of Federal bayonets; and it also presents the House of Representatives as a body sitting as such without right, because there are forcibly excluded from it several persons who are its lawful members, and who, if present, would reduce the present Republican majority to a mere minority.

If all this be true, does Louisiana now possess a Republican form of government.

If we take the facts assumed by Republicans the case is not much changed. While they insist that Kellogg received a majority of votes in 1872, and is therefore rightfully in his place, they admit he can be kept there and his authority maintained only by the presence or menace of a national military force; and this they say is indispensable, not because a majority of the lawful voters of that State did not vote for or do not prefer him to the Democratic candidate who was his opponent, but because in favor of the latter and of insurrection there are banded together large numbers of well-armed men, sufficient to overawe and utterly to subdue any force which can be marshaled under the flag of the State to oppose them; and, when it is considered with what ease the revolution of September was accomplished, it cannot be doubted that, although many White Leaguers quail and retreat and conceal their aims and purposes before a few soldiers of the United States, a few of the former need only to show themselves to strike with dismay and terror many, very many, of that unfortunate race who compose a considerable portion of the Republican Party, and who until lately have never dared to raise their voices—much less their hands—against their former white masters.

The facts thus asserted by either party are sufficiently destructive of social order, of personal safety, of State sovereignty to demand an immediate remedy, if one can be applied; for if much more delay occurs the condition of the people of Louisiana will be even more appalling. It is quite clear that it is not in their power to restore and maintain order, for already they have made two attempts by the elections of 1872 and of 1874, and both were not only abortive, but have resulted in the alternative of insurrection and bloodshed or of protection by the strong national arm, which now restrains violence and murder; nor, as events have shown, can this interposed arm be withdrawn so long as revolution is imminent and the President and his advisers remain mindful of their oaths and duty; and it seems to be conceded that, so long as the Kellogg Government remains, so long will it be threatened by revolution.

In a speech full of denunciation, but abounding in argument, the great Athenian orator refers to a meeting of the Senate of Athens, summoned to consider what should be done for the common safety upon the near and threatening approach of the Maccedonian King; and in that—alluding to the question "who chooses to speak?" put by the herald to that body—the orator declares that, in view of the danger which hung lowering over the State, it was the duty of every good citizen, if he had measures to propose, then and there to state them publicly, and not afterward to cavil at those proposed by others and adopted, though they should in the end prove inadequate; and he proceeds to state the difference between the true counselor and statesman and those who, in great and trying State emergencies, maintain silence, and thereafter, when misfortunes arise, condemn the policy they had not the courage or the ability to oppose by a counter one. Such men he justly declares do not rise to the dignity of counselors or statesmen, but are mere critics and cavilers. Of these latter in our day we have many, and from their places in representative halls, from secure retreats in clubs and parlors, and from behind the manifold barriers of an impersonal press, the critic and the caviler do their destructive work, willing to perform almost any service not requiring courage.

I trust that most of our public men will ever decline to do this work, but are ready, like true and loyal statesmen and counselors, to aid in saving Louisiana from the danger which hangs lowering over her at this hour. I feel sure that able, generous, and patriotic Senators like Bayard and Stevenson and Schurz and Thurman, and may others in the Senate and House of Representatives—Democrats though they be—will, when the herald calls, "who chooses to speak?" decline to advise the President to remove from Louisiana the national arms that insurrection unopposed may work even a bloodless revolution, but will be prepared to relieve the President and his advisers from a responsibility so painfully burdensome that it should be met and borne by the legislative, and not by the executive branch of our Government; but, painful as is this burden, it must be borne where it has been laid, unless a legislative plan is adopted by which the nation can restore to Louisiana that true representaion of the people which alone constitutes the republican form of government guaranteed to every State in this Union by the Constitution of the United States. Has Congress the power to apply this legislative remedy? and if yea, what should it be, and how and by whom should it be practically enforced?

By far the most important provision of the Constitution of the United States is that which declares that "the United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the Legislature, or of the Executive, (when the Legislature cannot be convened,) against domestic violence."

It will be observed that such portion of the clause quoted as provides that the United States shall guarantee to every State a republican form of government, and protect each against invasion, imposes these as constant and continuing duties, quite irrespective of any request of performance by the State. Indeed, a State might resolve by a majority of its people, or by their unanimous choice, to adopt a monarchical or other anti-republican form of government, in which case it would be the duty of the United States to interpose and restore by force, if need be, that kind of government which the Constitution prescribes. So, too, in case of the foreign invasion of a State which would of course threaten the integrity of the Union—it would be the duty of the United States to repel it instantly, whether requested so to do by the State invaded or not. But where domestic violence arises the United States acts only on the requirement of the Legislature or Governor of that State within which it prevails.

It will be observed also that, in each and all of the cases in which action for the protection of a State or of its Government becomes a duty, it is to be performed, in the language of the Constitution, by the United States; and of course the manner and means and occasion of performance are left largely if not wholly to the action of Congress. It is to determine when a State has ceased to enjoy a republican form of government, and it is to prescribe how and by what means that form is to be restored. It may ascertain this fact in its own way, and whenever it determines that this form of government has been overturned its conclusion is final; and such legislation may be based upon it as Congress deems needful in performance of its constitutional duty. Thus if it should be determined, as the Democrats assert, that Kellogg is a mere usurper without shadow of right, and that the body acting as a Legislature is composed of men installed by force, falsely claiming to sit by reason of fraudulent returns, or that most of them thus claim, and that a very large majority of persons entitled to compose and control that body have been excluded by returns wickedly made, and that really, therefore, the so-called Governor and Legislature of Louisiana are in a no just sense representative of the people, and that the latter are powerless to attain relief, it would hardly be unreasonable in such case to say that Louisiana had ceased to be ruled by a republican form of government; for, in determining this question, we must not be misled by words or forms, but must look at the purpose the framers of the Constitution had in view when they therein and thereby guaranteed to every State in the Union a republican form of government. They did not mean merely that the form of government should be republican, but that the people to be governed should perpetually enjoy the blessings of a Government republican in substance—one under which they could freely choose their rulers—a representative Government, in which the expressed will of the people lawfully entitled to vote should determine who, and who only, should represent them for the purpose of making and executing the laws under which they were to live, and by which they were to be controlled. I do not mean to suggest that every violation of this right—nor, indeed, that many outrages upon it—would lead to a destruction within the meaning of the Constitution of a republican form of government. Frauds at elections, fraudulent returns of Representatives as elected and as not elected, there will ever be; but when by a broad and deep system of fraud and force and violation of law the Government of a State is assumed by men who, though under the name of its Representatives and Governor, have been placed in authority without an opportunity given to a large majority of the lawful voters to express their will—a case arises where it may with great force be argued that the very marrow and substance of a republican government is wanting, for there is no representation of the people. And if in the case suggested the United States could not interpose in performance of the constitutional guarantee I have mentioned, the national power could not be applied at all, for though it might be a case of domestic violence, neither the so-called Legislature or Governor would apply for relief against their own wrong. I can suppose, without violating probabilities, another case—that the White Leaguers, as they are called, might unite to prevent by force all colored men from voting, although they are expressly endowed with all the privileges of citizens by the Fourteenth Amendment. Suppose this to be accomplished, and the Government of Louisiana taken possession of by persons elected by men thus banded together. Would there be no mode by which Congress could redress so great a wrong? It may be said that to apply a remedy upon the theory that the case supposed came within the scope of the constitutional guarantee, would be to establish a dangerous precedent of Congressional interference; but which precedent would be most dangerous to constitutional liberty in this country, that of the violent and lawless act I have supposed—unpunished and unredressed—by which the rights of an entire race conferred by a constitutional amendment obtained by the sacrifice of the national blood and treasure, or a precedent by which Congress should redress the wrong, and by appropriate legislation enforce the right? The power to govern ever carries with it the power to oppress; but the fear of the latter should never restrain honest efforts to govern righteously.

Not only may it be forcibly urged that Louisiana presents upon several grounds a strong case for Congressional interference for the enforcement of this constitutional guarantee, but there is another aspect, which right here I wish to present, in which such interference may be deemed justifiable. There is now, for a long time past there has been, for a considerable time to come there doubtless will prevail, within the State of Louisiana domestic violence, or such imminent danger of it that without Congressional action the President will not be justified in withdrawing our troops; and these, to many citizens of that State are offensive. Now, it should be borne in mind that he has no power to repress such violence except by this force or a menace of it. He cannot, by ordering a new election or otherwise, compose the elements which, unrestrained, produce this violence. He cannot seek out and cure the cause. He is therefore, by his constitutional duty and official oath, compelled to stand in a sort of aggressive attitude to large numbers of the people of that State; and thus he must stand, for aught I see, until Kellogg's official career or life ends, before being relieved from the obligation to prevent his overthrow by revolution. Ought Congress to continue this unpopular, this painfully responsible attitude, if it has power by legislative action to relieve him? And here let me inquire whether Congress may not protect the State of Louisiana against this domestic violence, by peacefully reaching and expelling its cause?

The provision of the Constitution which I have quoted is that the United States shall, on application of the Legislature, or of the Executive when that cannot be convened, protect the State against domestic violence. This duty, as I have said, is devolved upon Congress, which body may, by legislative enactment, prescribe the means by which this protection is to be administered. The President, by act of Congress, is empowered, under certain conditions, to afford this protection, but he can do it in but one way. The power thus conferred upon him does not, however, exhaust or limit the capacity of Congress to prescribe other and, if possible, peaceable measures, as a means of affording this protection. If, for instance, that body should conclude that the armed insurrectionists now threatening the Kellogg Government would disband, disperse, and become peaceable and law-abiding if assured that a new election of Governor and Representatives, fairly conducted, would be held under Congressional direction, might not this be lawfully done by Congress, under the constitutional provision mentioned? Is domestic violence against a State in all cases to be put down by counter violence and bloodshed? Is the United States limited to this mode, and to this only, and restrained from resorting, in the exercise of a sound discretion, to a kind, peaceable, and more effective remedy? It is submitted with great confidence that where domestic violence arises from causes which the State, asking for aid to quell it, cannot control Congress may, by appropriate legislation remove them; and for that purpose inforces its legislation within the limits of the State asking for protection.

Now, upon one or both of the grounds I have been considering—that there is not now in Louisiana, in substance, a republican form of government, and that, whether there is or is not, such domestic violence prevails there as entitles the State to protection, Congress should interfere in the performance of its duty as imposed by the Constitution of the United States, and by ordering and carefully directing a new election, restore order and quiet and that truly representative government to which every State is entitled. If such a duty does not or may not exist, why has Congress sent its committees to Louisiana to inquire into the manner in which elections have been there conducted? The legislators of a people are elected to make laws, and for no other purpose, unless, like our Senators, they have superadded to this duty that of advising the President, confirming his nominations, &c. Members of the House of Representatives in Congress are, however, limited, with certain exceptions not necessary to be stated, to the duty of making and repealing laws. In the discharge of this that body may take such measures as it sees fit, by committees or otherwise, to learn what laws should be made, altered, or repealed; but it certainly has no power to appoint a committee to investigate matters over or concerning which it is powerless to legislate or otherwise to exercise jurisdiction. It would, therefore, be a mere impertinence, if not an outrage, to send committees to Louisiana to investigate election frauds and the conduct of State elections held solely for the election of State officers, if upon the report of such committees it would have no power by legislation to deal with the subject of the report for the redress of wrongs thereby disclosed. It surely will not be said by those composing the Committee on Louisiana Affairs, or by the House creating it, that it was intended as a mere impertinent inquiry into the domestic affairs of a sovereign State, only to furnish inflammatory material for speeches utterly inconsequential except to occupy the time of a session all too short for the performance of its necessary labors. Indeed, if Congress be powerless to redress the frauds of the last election by ordering a new one; if the duty to act under the constitutional guarantee I have mentioned cannot possibly arise out of the anarchy and violence and fraud prevailing in Louisiana; if Congress has no power by legislation to apply such a remedy as will protect that State from domestic violence, by removing its cause, then it was a mere impertinence to send there the Committee of Investigation, which has been engaged by sections in performing that duty; and citizens of Louisiana might well have refused to appear before it, or to have recognized, in any manner, its authority or official character.

It must, however, be assumed, out of respect for the committee and for the body creating it, that its mission was to learn the truth for the purpose of basing upon it, if need be, legislative action. I believe that on facts already disclosed such action is not only constitutional, but indispensable to the peace and prosperity of that unhappy State. Both political parties declare that they are, and ever have been, content to abide the result of an election fairly conducted, and each asserts with confidence the belief that in such case his party will prevail. There is no difficulty whatever in providing by act of Congress the machinery by which an election can be fairly held, but it is hopeless to look for this from State laws. Men can be named in the Senate, in the House—selecting equally from both parties—in whom the nation, the State of Louisiana, would have confidence, who could, if need be, go there and appoint men to take immediate charge of the registration of voters and of the polls, and such well-known persons of both parties could be selected as to satisfy the inhabitants among whom they were to act. With a complete registration of voters—a duty to be carefully performed—that of receiving votes at the polls would be made comparatively easy; and with no plausible pretext for violence it may well be doubted if the presence of soldiers would be necessary. It is hardly needful here to suggest an outline of the act which should be framed for the conduct of such an election. I have tried to state some reasons why it should be ordered as the only mode of quieting a distracted State, and of relieving the President from a duty difficult to perform, and from a burden hard to bear.

E. W. STOUGHTON.

## STEPS TOWARD RAPID TRANSIT.

### SUBSCRIPTION PAPERS OPENED—INCREASING INTEREST APPARENT IN THE UPPER PART OF THE CITY.

The agitation for rapid transit is still on the increase, as the results of yesterday's labors indicate. More than twenty prominent business and mercantile firms have opened subscription lists at their offices, and it is the purpose of the committee of the Chamber of Commerce having the matter in charge to open at least 100 different lists in various parts of the City, so that the attention of all may be aroused, and opportunity afforded for securing every available dollar for the furtherance of the object in view. In the northern suburbs the interest develops and is widespread. Mr. John Bussing, of Fordham, says that the feeling in the Twenty-fourth Ward is very strong and the property-owners and tax-payers of all classes are united in the effort to secure rapid transit. Mr. Bussing pledges himself for $1,000 now and a further subscription at a future date, and promises his influence toward the raising of a large amount in Fordham and vicinity. All persons desirous of joining the movement are requested to call at the Chamber of Commerce and sign the paper called the "obligation," and also to call or send word to the office of the Secretary, C. H. Roosevelt, No. 11 Wall street, for subscription papers.

Papers for the reception of additional subscriptions toward the Rapid Transit Fund have been issued and will be found at the following offices, Drake Brothers, No. 66 Broadway; B. L. Ackerman, No. 801 Fifth avenue; C. H. Roosevelt, No. 11 Wall street; William H. Monell, No. 66 Broadway; David M. Clarkson, No. 109 Pearl street; Jacob Cohen, No. 205 Broadway and No. 109 East Sixtieth street; Frank G. Brown, No. 90 Broadway; R. C. Root & Anthony, Liberty street; John Haven, Fort Washington; Lespinasse & Freedman, No. 3 Pine street; George A. Halsey, No. 33 Nassau street; Wilson H. Stockwell, No. 93 Liberty street; George Wilson, Secretary Chamber of Commerce; F. B. Thurber, corner of West Broadway and Hudson street; John Bussing, Fordham; John Henry Hull, No. 240 Broadway; Commodore J. P. Levy, No. 108 East Fortieth street; George Moore, West Side Bank, Thirty-fourth street and Eighth avenue; Jefferson M. Levy, No. 23 Park Row; THE NEW-YORK TIMES Office; the New-York *Herald* office.

## THE POOR FAMILY—THEIR SORROWS LIGHTENED.

*To the Editor of the New-York Times:*

Inclosed please find the statement of the various amounts received in behalf of the "distressed family," and an account of the manner in which the money has been expended. I have not yet given them any money for daily provisions, as various parties themselves called on Mrs. Struck, and being convinced it was a worthy charity, have sent provisions, coal, wood, and between eight and nine dollars in money. A physician thought if the sick father of this family had a sewing-machine an opportunity would be given for support. I have interested myself, and to-day sent them a new Singer sewing-machine which I think is almost a gift. When I told the circumstances to the President of the sewing-machine company, he received twenty dollars only, and will undertake to teach the use of it to both the father and mother. I visited them yesterday. What a happy change from a fortnight since. The baby (who on my first visit was crying with hunger) was lying in the cradle relating a story to her hand, all smiles and contentment; Gertrude (the little dish-washer) was silently meditating an Irish stew, which was steaming and puffing away on the stove; the elder girl was setting the table, while the mother was busying herself in an adjoining room. Her husband was thoroughly prostrated with a three-days' headache. I have the rent paid to March 1, all of them comfortably clothed, the children going to school, and Sunday they join the Sunday-school, (Protestant); and all their surroundings are so happy that I hope some of the good people who have so liberally contributed will call on them, and receive a practical lesson on the text it is "more blessed to give than receive."

YOUNG MATRON.

The following is an account of the money expended thus far in behalf of the family referred to:

| | |
|---|---|
| Rent due | $6 00 |
| Shoes | 2 00 |
| Shoes | 2 25 |
| Culinary articles | 4 60 |
| Cloak trimmings | 1 41 |
| Dry goods | 8 75 |
| Chairs, &c | 2 35 |
| Washing tub | 2 00 |
| Rent in advance to March 1 | 10 00 |
| Bedstead, bedding, &c | 20 35 |
| Sheeting and blankets | 4 10 |
| Singer sewing-machine, (new) | 20 00 |
| Total | $85 56 |
| Balance in hand | 26 94 |
| Grand total | $112 50 |

To the foregoing is appended the following note of the poor mother:

All the above articles I have received from Mrs. ——, and may Heaven reward all the kind people.

M. J. STRUCK.

ACCOUNT OF AMOUNTS RECEIVED.

Jan. 28.—A. F. G., $15 50; Fannie T., $1; A. S., $2.
Jan. 29.—M., $2; Mr. Lynch, $2; Pity, $2; C. B. D., $5.
Jan. 30.—W., an old gentleman, $15; J. K. J., $10; Anonymous, $10; A. C., $10.
Feb. 2.—Mr. Hunt, $5; X., $1; L. S. R., $2; T. L. M., $10; P., $2; Baltimore, Md., $5.
Feb. 3.—Englishman, $10; Cash, $3. Total, $112 50.

## ALBANY.

### INTERESTING PROCEEDINGS IN HOUSE AND SENATE.

FIRST CHECK TO TAMMANY'S REORGANIZATION PLANS—THE COSTIGAN BILL—THE PRO RATA FREIGHT PROBLEM AGAIN—SHARP DEBATE IN THE SENATE ON THE NEW CAPITOL QUESTION—THE NEW-YORK SHRIEVALTY LEGISLATION—MISCELLANEOUS AFFAIRS.

*From Our Own Correspondent.*

ALBANY, Thursday, Feb. 4, 1875.

Tammany's watchword during the last election campaign was "home rule," and to-day the representatives of that organization on the floor of the Assembly found out what reaction means, when Mr. Costigan's bill for the reorganization of the local Government of the City of New-York came up and was beaten on a preliminary motion by a vote of 54 to 48—quite a number of country Democrats not voting. It has just transpired here that John Kelly's party means, by its motto of home rule, that the loaves and fishes in New-York are for "the machine" and those who work it, and for them exclusively. A few days since an application on behalf of many rural Democrats was made to Mayor Wickham for the appointment to subordinate positions in various departments of the City Government of a number of men—straight-out Democrats—from the country. The Mayor made reply that he would favor nothing of the kind; that New-York was going to have "home rule," and that the country must take care of itself, for New-Yorkers wanted all the positions that belonged to them, and as soon as he could get matters into ship-shape the countrymen now in office, whether as heads or attaches, or as mere employes of bureaus or departments, would have to "step down and out." It is well known that there are not a few rural Democrats, and some bucolic Republicans also, who have found places as clerks in City departments or as patrolmen on the Police force, and home rule signifies not merely that no more may come but that those already there must leave. This fact has been much canvassed by the country members and their friends, and Tammany will doubtless meet with some rough-weather sailing before either Mr. Costigan's bill or that introduced by T. J. Campbell will become a law. Mr. Costigan's bill came up this morning under general orders in Committee of the Whole, Mr. Badger in the chair. After the reading of the bill by sections, Mr. Costigan offered an amendment designed to correct a technical error in form in the first section.

Mr. Alvord said he hoped no attempt would be made to take up the consideration of this bill at this time, as its provisions were too important to be dealt with in any hasty manner, and members should be afforded an opportunity to examine it. He moved that the committee report progress, and ask leave to sit again.

Mr. Costigan rose to explain the provisions of the bill, but Mr. Husted made the point of order that the motion was not debatable, and the Chair sustained the point.

The question was then put on Mr. Alvord's motion, and the yeas were given quietly, but when the nays were voted it was with an immense throat effort, intended to create the impression that a noise made a majority.

The Chairman was about to decide the motion carried, when a count was called for, and the motion of Mr. Alvord prevailed by a vote of 54 yeas to 48 nays at least a dozen country Democrats sitting quietly in their seats and not voting at all. This was the first time the bill has been up in any test shape, and its friends scored an unmistakable, though perhaps light, defeat, which may indicate more serious vanquishments in the future history of the measure.

MAKING VOTING EASY.

Mr. Dessar, of New-York, introduced a bill providing that in that City it shall not be necessary for naturalized citizens offering to vote at general elections to produce their certificates of naturalization, provided they are willing to answer all questions propounded to them by inspectors of election and take the oaths required to be taken.

THE PRO RATA FREIGHT PROBLEM.

Mr. Struble, of Yates, introduced a pro rata freight bill for railroads, in effect and substance the same as those which have been annually introduced, and as regulary defeated, for several years past. In introducing it he spoke briefly in favor of its provisions, and moved that it be referred direct to the Committee of the Whole, without going through the usual form in the Committee on Railroads. This proposition raised quite a breeze, in which the Granger and anti-Granger proclivities of members were whirled about in a lively manner. In the end, on motion of Mr. Prince, the bill went to the Committee on Railroads, that body being instructed to report on it in two weeks.

PRINTING JOBS UNDER DEBATE.

The Committee on Printing reported a large number of resolutions to authorize the printing of various public documents and reports, among them being a resolution to print 10,000 copies of the report of the topographical survey of the Adirondack wilderness, for distribution to State officers and members of the Legislature, at a cost not to exceed two dollars per volume. This resolution gave rise to a debate of about an hour, during which amendments were offered to make the number of copies 5,000 and 3,000. There was a great flurry of denunciation of "printing jobs," and the desire of members to popularize themselves among their constituents by book distributions. The amendments and original resolution were all lost by heavy majorities against them, as was also a subsequent resolution to print several thousand copies of the testimony taken relative to the Cornell University land grants.

A HOT DEBATE IN THE SENATE.

The Senate to-day anticipated the scenes which are usually reserved for the last weeks of the session by indulging itself in an acrimonious debate of a most personal nature, and of some two hours in duration. The subject was opened by Senator Johnson's calling from the table Senator Madden's resolution that the Senate should adjourn *sine die* on the 19th of March. For some half an hour Senators Wood, Madden, and Lowery discussed the merits of this resolution, the principal point of difference being whether its adoption would, or would not, prevent the overcrowding with legislation of the last days of the session. This part of the debate was probably "buncombe," and was charged to be such by some of the speakers; but when Senator Johnson said that in consequence of this overcrowding charges had been made that important amendments had been added to certain bills, which he did not more distinctly mention, after the Legislature had adjourned, he gave a hint which was the precursor of the dispute which followed. Senator Lord named last year's Supply bill as an excellent example of hasty legislation. He denounced it as a fraud, charged that it had never received the assent of either house, and referred particularly to the item for a brick wall built in connection with the new Capitol; and Senator Jacobs found fault with the insertion of the salary of $10,000 for the Superintendent of the construction of the Capitol. Senator Wood replied to these attacks of his colleagues on last year's Finance Committee. The brick wall was estimated to cost $500, he said, and had been put in at the instance of the Assembly portion of the Committee of Conference; and the Superintendent's salary, which was fixed by the Legislature, had been merely left out by mistake, and had been inserted with more discretion than usually accompanies such technical errors. Having said this word for himself, he then devoted several to those who had arraigned him. He referred to Senator Jacobs' friendship and exertions for Mr. William C. Kingsley, a recently-resigned Capitol Commissioner, and he charged Senator Lord, in terms as explicit as though they had been direct, with being connected with a company which had furnished imported stone for the uses of the Capitol, at enormous prices, when just as good material could have been had close at hand. Finally Senator Madden, seeing that his resolution had been as completely forgotten as if it were not before the Senate, moved that its further consideration be indefinitely postponed, and with the passage of this motion the scene ended. The animus and bad blood of the discussion are abundantly indicated by the above extracts, and it only needs to be added that it was as without cause as it was without excuse or connection with the original motion. Enough was said, however, to indicate that the Capitol entombs as many unpleasant secrets as the court-house; but as they were not entirely divulged it is to be regretted that they were at all referred to. The secret motive of the trouble is said to be a wish on the part of the Democrats to oust the Superintendent and to bring back the days when the Capitol contracts were assigned by a "non-partisan" commission.

LEGISLATING FOR THE SHERIFF.

The Senate adjourned almost immediately at the conclusion of this debate, or rather wrangle; but in the last few moments Senator Fox introduced three bills, which are all either interesting or important. The one which falls more appropriately under the former head is a bill providing in explicit terms that the Warden of the County Jail of New-York—meaning Warden Dunham, of Ludlow street—shall be reimbursed the sums he has expended in the support of prisoners confined upon civil process during the year 1874-75. The bill in this shape is less dangerous, because it is less insidious, than when it stood as the "little joker" in a bill previously introduced by Senator Fox to provide generally for the support of such prisoners, and from which bill the Judiciary Committee struck out the objectionable section. In its present shape the bill may or may not pass; but it at most stands upon its merits, and the Legislature will know what it is voting for—which is a great deal more than could previously be said.

The second bill introduced by Senator Fox gives to the Mayor and Common Council of the City of New-York the right to distribute to such "humane, benevolent, or charitable corporations, societies, or institutions," as in their discretion may seem best, all moneys derived from licenses for selling intoxicating liquors after the expenses of sustaining the Excise Commission have been deducted. The present law gives this right of distribution to the Board of Apportionment.

The last of Senator Fox's three bills is entitled "An act to protect the right of trial by jury," and its text is as follows:

SECTION 1. In no action at law, civil or criminal, hereafter tried in this State with a jury, shall any Judge presiding at the trial review in his charge to the jury the testimony to be submitted to them, except so far as may be necessary for a fair and proper presentation of the law questions involved in such trial.

SEC. 2. In no such action, civil or criminal, shall any Judge presiding at the trial by any suggestion or expression intimate to the jury his own opinion upon the weight of evidence presented to them, or as to the verdict or judgment which shall be rendered by the jury.

LEGISLATING FOR THE SALE OF REAL ESTATE OWNED BY CITIES.

A single bill introduced by Senator Foy previously to the little difficulty above referred to is also worthy of notice. According to the terms of the bill it shall hereafter be lawful for the Supreme Court, at either a Special or General Term, and with the concurrent vote of two-thirds of the members in office, to make an order providing for the sale of any "lands, tenements, or hereditaments" belonging to any city, and to direct the application of the moneys arising from the sale to such uses as to the court may seem most for the interest of the city to which the property sold belonged. The bill further provides that such order of sale shall not be granted unless upon application of the city authorities, and the application, together with an accurate description of the property to be sold, and the proceeds of the sale, must be advertised, as must also the name of the purchaser.

OTHER BUSINESS.

Senator Johnson's bill providing for the resumption of specie payments in New-York State after Jan. 1, 1879, was reported to-day by the Finance Committee without amendment.

The Senate to-day passed a resolution extending the privileges of the House to William Cullen Bryant, who is to be in this city on Tuesday next as the guest of Gov. Tilden.

## ARRIVALS AT THE HOTELS.

Ex-Congressman Roswell Hart, of Rochester, is at the Gilsey House.

Baron R. Ostensacken, of Cambridge, Mass., is at the Clarendon Hotel.

John F. Seymour, of Utica, and Col. H. S. McComb, of Delaware, are at the Clarendon Hotel.

F. Gonzalez Errazuriz, Chilian Minister at Washington, and ex-Gov. James E. English, of Connecticut, are at the Windsor Hotel.

Gov. James A. Weston, of New-Hampshire; James L. Claghorn, of Philadelphia, and J. Wiley Edmands, of Boston, are at the St. Nicholas Hotel.

A. Van den Nest, Secretary of the Belgian Legation at Washington, and Surgeons A. H. Hoff and Charles Page, United States Army, are at the Hotel Brunswick.

Gen. John Hammond, of Crown Point, N. Y.; Gen. John C. Graham, of Alabama; and Josiah Quincy, of Boston, are at the Fifth Avenue Hotel.

## FATAL SHELL EXPLOSION.

Yesterday afternoon William Wyble, Captain of the schooner Julia R., lying alongside the Abattoir in Harsimus Cove, Jersey City, was blown to atoms by the explosion of a bombshell. He thought the shell was not charged, and had it between his knees endeavoring to dislodge the screw fuse from the top of it by hammering on it with an ax, when the shell exploded and killed him instantly. The body was mutilated in a shocking manner, scarcely any of it being left intact, and it required some time and a patient search to gather the remains together. A boy on an adjoining canal-boat was struck by a piece of the shell and seriously injured. Coroner Lynch was notified, and had the remains conveyed to the Morgue to await the action of the County Physician. Deceased resided at Mountain View, Passaic County, N. J., where he leaves a wife and family.


## THE SEMI-WEEKLY TIMES.

THE NEW-YORK SEMI-WEEKLY TIMES, published THIS MORNING, contains the very latest telegraphic and general news; editorials on matters of current interest; a page of carefully-prepared commercial matter, giving the latest financial news and market reports items of agricultural and domestic interest, and other interesting reading matter.

Copies for sale at THE TIMES OFFICE; also, at THE TIMES UP-TOWN OFFICE, NO. 1,257 BROADWAY. PRICE, FIVE CENTS.

**American Boulevard Lamps in London.**—The London *Times* says: "The new AMERICAN BOULEVARD LAMPS are much admired." They throw considerable more light upon the streets than the ordinary lamps used here—the Porcelain Reflectors, being outside the glass, escape being blackened by smoke. The upper Reflector radiates light to a distance, but always downward. The lower one sends the rays down around the lamp and prevents any shadow being cast. "The expense for repairs is said to be less, owing to the strength of the glass."

**London Streets Lighted with the American** BOULEVARD LAMPS.—The London *Gas-light Journal* says: "The new American Boulevard Lamps upon our streets attract much attention." "We have carefully tested these Lamps, and are free to say that we consider them the very best. Their form and structure makes it certain the minimum of light will be lost."

**Balls and Parties vs. Snow and Rain.**—Ladies', Misses', Gents', and Boy's Boots and Shoes, and India Rubbers, all styles and prices; patronize MILLER & CO., No. 3 Union square.

**Everdell's Principal Office, No. 302 Broadway.**—Wedding and Ball Cards, Orders of Dancing, Foreign Note Papers.

**Lundborg's Jockey Club includes the Choicest** perfumes of nature.

**Wm. Everdell's Sons, No. 104 Fulton st.** Established 1815. PRINTERS. No branch offices.

**Remember Wistar's Balsam of Wild Cherry** when you require a remedy for a cough or cold.

**Use Brummell's Celebrated Cough Drops.** The genuine have A. H. B. on each drop.


## MARRIED.

BURCHARD—KNAPP.—On Thursday, Feb. 4, at the residence of the bride's brother, by Rev. Dr. S. D. Burchard, FRED. C. BURCHARD to LIBBIE, youngest daughter of Mrs. E. C. KNAPP, all of Brooklyn. No cards.

KENNEDY—NEALE.—On Wednesday, Feb. 3, by Rev. J. G. Bacchus, CHARLES S. KENNEDY to MARY LOUISE NEALE, all of Brooklyn.

SPENCER—EDSALL.—On Wednesday, Feb. 3, 1875, at the bride's residence, Waddington, St. Lawrence County, N. Y., by Rev. Robert C. McCormick, Hon. JAMES C. SPENCER, of New-York City, to Mrs. BELLE W. EDSALL.

STAPLES—PRENTISS.—At Brooklyn, Thursday, Feb. 4, 1875, by Rev. Dr. George L. Prentiss, CYRUS E. STAPLES and ANNA, youngest surviving daughter of the late William Prentiss.

STAPLES—LYDIG.—On Thursday, Feb. 4, 1875, by Rev. Dr. Weston, JOHN J. STAPLES to ROSALIE, daughter of the late P. M. Lydig.

## DIED.

ADDINSELL.—On Monday, Feb. 1, HARRY, eldest son of George W. and the late Lois Addinsell, in the 18th year of his age.

The friends of the family are invited to attend the funeral, at St. James' Church, St. James place, Brooklyn, on Friday, at 2 o'clock P. M.

BEECHER.—On Tuesday, Feb. 2, HENRY C. BEECHER, in the 41st year of his age.

Funeral services will be held at the residence of his mother-in-law, Mrs. Snow, No. 74 Madison av., on Saturday, at 10 o'clock A. M. Friends of the family are invited to attend.

BLOSS.—On the 4th inst., of diphtheria, ALBERT WILLARD, aged 5 months and 13 days, only child of Newell W. and Emma C. Bloss.

Notice of funeral hereafter.

ELDER.—At the residence of his son-in-law, James L. Brush, Westfield, N. J., Feb. 3, 1875, of heart disease, Dr. ALEXANDER ELDER, late of New-York City.

Friends and relatives are respectfully invited to attend his funeral, from the Presbyterian Church, Westfield, at 2 o'clock P. M., Saturday, Feb. 6. Cars leave foot of Liberty st., New-York, at 12:40.

HALL.—On Wednesday, Feb. 3, Mrs. E. HALL, in the 77th year of her age.

The friends and relatives of the family are invited to attend the funeral services, at her late residence, No. 40 Charlton st., on Friday evening, at 7:30 o'clock.

JONES.—On Thursday, the 4th, at Greenville, N. J., WILLIAM JONES, aged 74 years.

Relatives and friends are invited to attend his funeral, on Monday, the 8th, at 11 A. M., from the residence of Abraham Becker, Greenville, N. J.

LODGE.—On Thursday, Feb. 4, SARAH J., wife of William J. Lodge, aged 28 years.

Relatives and friends are respectfully invited to attend the funeral at the Twenty-fourth Street M. E. Church, (near 9th av.,) on Saturday morning, Feb. 6, at 9 o'clock.

LYMAN.—After twelve days illness, of paralysis, on Feb. 3, at the residence of her brother, A. S. Lyman, No. 212 2d av., MARY C. LYMAN, aged 50 years.

Funeral at the Presbyterian Church, corner of 2d av. and 14th st., on Friday, Feb. 5, at 3:30 P. M.

MOSSMAN.—On Wednesday, the 3d inst., ANN MOSSMAN, a native of Edinburgh, Scotland.

The relatives and friends of the family are invited to attend the funeral on Friday, the 5th inst., at 1 P. M., from the residence of her sister, Mrs. Fraser, No. 79 Morton st.

PLASS.—On Thursday, Feb. [illegible], 1875, of Bright's disease of the kidneys, AMELIA, beloved wife of Reuben H. Plass.

Relatives and friends of the family, and members of Prince of Orange Lodge, No. 16, F. A. M., are invited to attend her funeral from her late residence, No. 105 East 27th st., on Sunday, Feb. 7, 1875, at 1 o'clock. Interment in Green-Wood Cemetery.

STEWART.—In Brooklyn, Feb. 3, of typhoid fever, LAURA SPRAGUE, wife of Edwin Stewart, Fleet Paymaster of the Asiatic Squadron, and daughter of the late Charles Tufts, of Andover, Mass.

The friends of the family are respectfully invited to attend the funeral services at the residence of her brother-in-law, Lewis Morris, No. 205 De Kalb av., Friday afternoon, at 2:30 o'clock.

SEAMAN.—At Jerusalem, Long Island, on second month, fourth, ELIZABETH, wife of Ardon Seaman, in her 82d year.

Funeral on seventh day, at 11 o'clock A. M. Train via Southern Railroad of Long Island, leaves South 8th st., Brooklyn, for Ridgewood, about 8:30 A. M. Conveyances will meet that train.

SPARROW.—On Thursday, Feb. 4, SADIE E., daughter of Dr. O. C. and the late Sarah M. Sparrow, aged 2 years and 1 month.

Relatives and friends are invited to attend the funeral services at the residence of her father, No. 431 Classon av., Friday, Feb. 5, at 5 o'clock P. M. Her remains will be taken to Connecticut.

SNOW.—In Brooklyn, Wednesday evening, Feb. 3, AUGUSTIN BUTLER, son of Augustin and Louisa Snow, aged 11 years and 7 months.

Relatives and friends of the family are invited to attend the funeral at No. 163 Dean st., Brooklyn, on Friday, Feb. 5, at 2 P. M.

STODDART.—After a brief illness, at Allamuchy, Warren County, N. J., in the 48th year of her age, JANET, wife of Henry Stoddart, a native of Jedburgh, Scotland, and for eighteen years a resident of West Chester, N. Y.

The funeral services will be held in the Presbyterian Church at Hackettstown, N. J., on Saturday next, at 11 A. M. Trains leave foot Barclay st. at 7:15 A. M.

WRIGHT.—On Thursday, Feb. 4, ROBERT J., youngest son of Robert J. and Minnie J. Wright, aged 3 months and 4 days.

Funeral will take place on Saturday, Feb. 6, at 10:30 A. M., from the residence of his parents, No. 219 East 52d st. Remains will be taken to Flushing, Long Island, for interment. The relatives and friends of the family, and of his grandfather, Charles Ferley, Esq., are respectfully invited to attend.

WEED.—At Savannah, Ga., on Tuesday, 2d of February, HENRY D. WEED, in the 72d year of his age.

NEW-YORK TYPOGRAPHICAL SOCIETY.

NOTICE.—Members are invited to attend the funeral of our late brother, WILLIAM H. S. WERREY, from the New-England Congregational Church, South 9th st., near 5th st., Brooklyn, E. D., Feb. 6, at 1:30 P. M.

T. C. FAULKNER, Secretary.


## MISCELLANEOUS.

TO PRESERVE THE TEETH, USE BROWN'S CAMPHORATED SAPONACEOUS DENTIFRICE. For sale by all druggists: 25 cents a bottle.

WHY WILL YE SHAKE? BECAUSE WE cannot help it; we've tried quinine until we heard great drums in our heads. Have you tried BROWN'S HOUSEHOLD PANACEA AND FAMILY LINIMENT? No. That will cure chills and fever sure every time. Where can we find it? Anywhere.

THE INGREDIENTS OF BROWN'S VERMIFUGE COMFITS or WORM LOZENGES are entirely harmless to the human system. The smallest and most delicate child can and will eat them, because they are pleasant to the taste, and will do their work speedily and thoroughly upon the worms.

THE MODEL SUNDAY PAPER.
THE MODEL SUNDAY PAPER.
THE MODEL SUNDAY PAPER.
THE MODEL SUNDAY PAPER.
THE MODEL SUNDAY PAPER.
THE MODEL SUNDAY PAPER.

THE SUNDAY EDITION
THE SUNDAY EDITION
THE SUNDAY EDITION
THE SUNDAY EDITION
THE SUNDAY EDITION
THE SUNDAY EDITION
OF
THE NEW-YORK TIMES.
THE NEW-YORK TIMES.
THE NEW-YORK TIMES.
THE NEW-YORK TIMES.
THE NEW-YORK TIMES.
THE NEW-YORK TIMES.

TRIPLE SHEET.
TRIPLE SHEET.
TRIPLE SHEET.
TRIPLE SHEET.
TRIPLE SHEET.
TRIPLE SHEET.

LARGEST RESPECTABLE CIRCULATION
LARGEST RESPECTABLE CIRCULATION
LARGEST RESPECTABLE CIRCULATION
LARGEST RESPECTABLE CIRCULATION
LARGEST RESPECTABLE CIRCULATION
LARGEST RESPECTABLE CIRCULATION
IN NEW-YORK.
IN NEW-YORK.
IN NEW-YORK.
IN NEW-YORK.
IN NEW-YORK.
IN NEW-YORK.
AND CONSTANTLY INCREASING.
AND CONSTANTLY INCREASING.
AND CONSTANTLY INCREASING.
AND CONSTANTLY INCREASING.
AND CONSTANTLY INCREASING.
AND CONSTANTLY INCREASING.

THE TIMES OF SUNDAY, FEB. 7, WILL CONTAIN A STORY OF GREAT INTEREST, AND A NUMBER OF SPECIAL ARTICLES ON INTERESTING SUBJECTS.

CURRENT LITERATURE—Choice selections from the late magazines, both foreign and domestic.

A carefully prepared review of the CITY AMUSEMENT RECORD of the week.

Interesting letters from THE TIMES staff of HOME and FOREIGN correspondents.

MILITARY GOSSIP of interest to every member of the National Guard.

ALL THE CITY and suburban intelligence.

THE VERY LATEST NEWS BY TELEGRAPH, both foreign and domestic.

THE NEW-YORK TIMES IS THE MOST COMPLETE NEWSPAPER PUBLISHED, AND HAS A CIRCULATION SECOND TO NO PAPER IN THE METROPOLIS. IT IS, THEREFORE, THE MOST VALUABLE ADVERTISING MEDIUM.

☞ Advertisements will be received at the Publication Office, and at the Up-town Branch Office of the *Times*, No. 1,257 Broadway, until 9 o'clock on SATURDAY EVENING.

THE NEW-YORK TIMES. FOR SALE BY ALL NEWSDEALERS. PRICE FIVE CENTS.

BRIGHT'S DISEASE, DIABETES, GRAVEL, Calculus, Gout, Rheumatism, Dyspepsia, Diseases of the Liver, Kidneys, Bladder, Prostate Gland, Premature Prostration, Organic Debility, and Chronic Affections, (incurable by general practitioners.) A sixty-page 12mo pamphlet, explaining their successful treatment by Nature's specific, Bethesda Mineral Spring Water, and Dr. A. HAWLEY HEATH, the author, free to any address. Letters from physicians and others of hopeless cases cured sent. Depot and Reception Rooms, No. 200 Broadway, New-York.


M. CREGAN ASSOCIATION RECEPTION. IRVING HALL, FRIDAY EVENING, FEB. 5, 1875. CARRIAGE NOTICE.

Carriages conveying company to the above reception will enter Irving place from the north, and go out by way of 14th st. and 4th av. Gentlemen will take the first coach at the door. The rates will be $2 for one person, $3 for two, $4 for three or more, any distance.

JOHN GUNNER, Captain Eighteenth Precinct.

POST OFFICE NOTICE.

The mails for Europe for the week ending Saturday, Feb. 6, 1875, will close at this office as follows: On Tuesday at 11 A. M.; on Wednesday at 11 A. M.; on Thursday at 11:30 A. M., and on Saturday at 11:30 and 12 M.

T. L. JAMES, Postmaster.


R. STUART WILLIS, ATTORNEY AND Counselor at Law, Notary Public, No. 132 Broadway, Room No. 4 New-York. N. B.—Special attention paid to "estates," conveyancing, and City collections.

FRACTIONAL CURRENCY FOR SALE AT par, in assorted denominations. Apply at the Cashier's desk, *Times* Office.

DICK'S ENCYCLOPEDIA OF 6,422 RECEIPTS and PROCESSES. PRICE, $5. Sent free of postage. Specimen Index sent free. DICK & FITZGERALD, Publishers, No. 18 Ann st.

## NEW PUBLICATIONS.

"GIROFLE-GIROFLA"—LANCERS, DOWNIE, 40c.; Waltz, 30c.; song, "Son of Sarsaquin," 40c.; "Days That Are Gone," Chilperic, 40c.; "Du und Du," waltzes, Strauss, 75c.; "On the Wing," waltzes, Knight, 60c.; "My Fair Lady," waltz, Zikoff, 60c.; "Coquette," Malloy, 30c.; "The Better Land," Gounod, 40c.; "Bird Song," Hellerou, 60c. DITSON & CO., No. 711 Broadway.

# MR. BEECHER ON TRIAL.

## TILTON STILL ANSWERING MR. EVARTS' QUESTIONS.

*Continued from Third Page.*

pose was not only friendly; it was affectionate and loyal.

Q.—And he so understood it? A.—Yes, Sir.

Q.—And perhaps overestimated it? A.—I think he did; yes, sir.

Q.—But you have always known, have you not, that he regarded that as a very great service that had been rendered him in a point in which his affections were greatly interested? A.—He told me that I had saved one of the members of his family from destruction; I did not see the imminent destruction.

Q.—Well, a degradation to his son's position in the Army, was it not?—one of his sons? A.—I would rather not say to what it refers.

Mr. Evarts—Well, I do not mean to go into details.

Judge Neilson—State the general fact.

Mr. Evarts—The general fact—degradation to his son? A.—I do not see how I can explain it without casting an imputation—

Q.—Oh, no, you will only say whether it had relation to his son in the army, that is all. A.—I will say it if you take the responsibility of evoking it.

Q.—Of what? A.—Evoking the answer.

Q.—I do not provoke any other answer than that.

Judge Neilson—Evoke is the word he used. (To the witness)—All he wants to know is whether it had relation to that subject.

The Witness—I simply say that by direction of the court I have undertaken to keep out the names of third parties in my narratives, particularly when to mention them would be to disparage them.

Mr. Evarts—Well, I have offered you an opportunity of saying yes or no to the question.

The Witness—Very well, Sir, if you will ask me the question now, I will answer it yes or no.

Mr. Evarts—And I should like to have you answer it. It is whether that service had relation to his son in the army? A.—It had relation to his son *out* of the army.

Q.—His son who had been in the army? A.—Yes, Sir.

Q.—And who afterward went back into the army? A.—Yes, Sir.

BEECHER'S PORTRAIT.

Q.—Now, do you remember having a portrait of Mr. Beecher painted, and what time that was? A.—Yes, Sir.

Q.—When was that? A.—To the best of my recollection, Mr. Beecher began to sit for that portrait in the Fall of 1868, and the picture was finished in the Spring of 1869.

Q.—In what way and at what time did you propose to him that he should allow you to have his portrait painted? A.—I told Mr. Beecher that I wanted the portraits of a few of my personal friends, the men who had been a creed to me in public life, and who had been connected with the cause of liberty, and I named Wendell Phillips, Horace Greeley, Charles Sumner, and Henry Ward Beecher; I proposed to have the portraits of those four men painted by William Paige, whom I regarded as the first of our American artists; the first of the portraits painted was that of Wendell Phillips, which is now hanging on my wall.

Q.—And the next? A.—Mr. Beecher's was the second.

Q.—And—? A.—Mr. Greeley had made one or two calls at the studio to be painted, and Mr. Sumner had done the same.

Q.—I won't pursue the matter; you did not actually succeed in getting portraits of the others? A.—No, Sir.

Q.—Now, do you remember when that portrait was sent to Mr. Moulton's house? A.—I cannot remember the exact date; I think it was some time in the Fall of 1870, or perhaps in the first month or two of 1871.

Q.—And there it has remained ever since? A.—Yes, Sir; my recollection is, Mr. Evarts, that it was sent there in the Summer of 1870—my best recollection at present.

Mr. Beach—What is that?

The Witness—I was saying that my refreshed recollection is that it was sent there in the Summer of 1870; still I may be wrong about the date; I may be totally wrong as to that date, because I have not thought of it since.

Q.—You mean the date when it was sent to Moulton's house? A.—Yes, Sir, but I remember the date of the receipt.

Mr. Evarts—We will put this in evidence, if your Honor please. [Reads:]

Received from theodore Tilton by draft from Aurora, Ill., dated Feb. 25, 1869, five hundred dollars, being paymnet in full for portrait of Rev. Henry Ward Beecher.

April 1, 1869.

Q.—It is your writing? A.—Yes, Sir; all excepting the signature, which is William Paige's. Mr. Evarts—Signed by William Paige. [Marked in evidence "D, 58."]

Q.—You say the date of sending it to Mr. Moulton's you cannot fix with any certainty, as you have never thought of it until now? A.—I have never thought of it since, as being connected with any particular event or date.

BEECHER'S DEMEANOR TO TILTON'S WIFE.

Q.—Now, up to the time of July, 1870, had you observed in the demeanor of Mr. Beecher toward your wife, or of your wife toward Mr. Beecher, any variance from that ordinary relation which you had been familiar with? A.—No, Sir; one or two little incidents happened a number of years before that, which Mrs. Tilton explained away, and which left no impression.

Q.—They had passed by? A.—Yes, they had gone by.

Q.—Nothing in later years that you noticed in their demeanor toward each other different from what you had always seen? A.—No, Sir.

HIS COMPANIONSHIP WITH MOULTON.

Q.—Now, with regard to Mr. Moulton; you have given us the general circumstances of your acquaintance with him and familiarity. How confidential and intimate were your habits of companionship with him in general—I mean now to leave out any relation to this subject which has been testified to by you? A.—Well, Sir, for many years Mr. Moulton and I have been mutual friends; he is a very high and noble man, and much beloved; my friendship with him was very strong and very intimate.

Q.—And his disposition toward you of the same character? A.—I think I may say that it has always been so.

Q.—And that carries you back to your boyhood and continues up to the present time? A. Yes, Sir.

Q.—Were you in the habit of having amusements together—such amusements as men have? A.—Well, we hadn't time for many amusements; we used to go fishing occasionally.

Q.—Well, did you go to places of amusement together—theatres and such places? A.—Oh, yes; we have gone to the theatre together, and the opera; I thought you meant sports like fishing.

Q.—Well, it covers all matters. What would be the natural companionship between intimate friends in regard to amusements—what was the habit of Mr. Moulton and yourself? A.—Well, Sir, I don't know that you mean whether we played cards together, or billiards together, or anything of that kind; we never had any such amusements.

Q.—Well, you impute that to me; I did not ask it.

Mr. Beach—I think you did; I think your question admitted of that interpretation.

Mr. Evarts—Oh, no; I don't play either, myself.

The Witness—Excuse me, Mr. Evarts—

Mr. Evarts—Your answer was proper enough. But I do not seek to inquire particularly into your amusements.

The Witness—I thought you asked me if we had the amusements which men ordinarily had.

Q.—Well, those which you took, did you usually take them together? A.—Yes, Sir.

Q.—And how much were you in the habit of being at his house at meals? As a formal guest, or as a social one? A.—After the destruction of my own house, Mr. Moulton's house was really my home. That is to say, it was the home of my thought and solace.

Q.—Well, now answer about the meals. A.—What is that, Sir.

Q.—How about the meals? How much were you in the habit of taking meals there, either as a formal guest or a social one? A.—Oh, I was there a great deal—a very great deal.

Q.—And from what period did that form of intimacy take?—or habit take? A.—From the 1st of January, 1871.

Q.—Throw this outside of any of these dates; that we can very well understand from the course of the testimony. But we will say prior to the 1st of January, 1870—that is, a year before—what were your habits of personal and social intimacy in that regard, about being often at his house at meals, either socially or as a formal guest? A.—Oh, very rarely at his house at meals before that; I took my meals at my own house before that; after that I very rarely sat at my own table.

Q.—And generally at his? A.—Not generally, but very frequently.

THE SUCCESSOR OF SIR PHILIP SIDNEY.

Q.—Now, when you had occasion to seek a confidential friend, as you supposed you had, and state you had in the month of December, 1870, was there any one else that was at all comparable in his relations to you with Mr. Moulton as a person you could confide in? A.—There was no man among all my personal friends at that time in whose ability and integrity and loyalty all combined, and in whose genius of administration and great courage in thought and in action, I could confide as in Francis D. Moulton.

Q.—Yes; and you resorted to him in that view and in the relation that he then held to you as a friend? A.—I did, Sir; and he has justified it ever since.

Q.—And that selection on your part has, in your judgment, been justified by his conduct toward you since? A.—Yes, Sir; I think that Francis D. Moulton is the successor of Sir Philip Sidney in all that is honorable, manly, and magnanimous in friendship.

Mr. Evarts—Have you got those letters ready, Mr. Morris?

Mr. Morris—I have not, Mr. Evarts; they are written on different sheets of paper and are not got together. A part of them are here, and I have to collect them yet. I had my young man sort them out, but he has only brought part of them here.

Mr. Evarts—Those that you have got together, if you will let us have them, that we may look over them to-night—those that are within our call.

Mr. Morris—You have got all that we have quite perfect. We will have the rest in the morning.

Mr. Evarts—I say those that you have got, if you will let us have them, that we may look over them.

Mr. Morris—Well, I say that you have got what we have got perfect. We have got parts here and we will get the balance.

Mr. Tracy—We have only got three letters.

Mr. Fullerton—And there are only three more that you are entitled to.

Mr. Evarts—We subpœnaed the witness to produce them.

Mr. Fullerton—And you are perfectly welcome to them.

Mr. Morris—You subpœnaed the witness, but you do not propose to take the letters out of court.

Mr. Evarts—We do not ask to take the mass of letters, but we ask to take those that you have selected, so that we may save time to-night as well as you. If your Honor please, we will pass to another subject in which the need of those letters to be in will not be felt.

Mr. Morris—Those letters we have given you—let us have them.

Mr. Tracy—Why?

Mr. Morris—Why, Sir, because you are not entitled to them; that is the reason.

Mr. Tracy—I do not see that.

Mr. Morris—Are you entitled to take the letters away with you?

Mr. Tracy—Yes.

Mr. Evarts—Why should we not have them as before?

Mr. Tracy—Those are under the subpœna.

Mr. Morris—We will produce them when called upon in the morning. They cannot take the letters away; that is not their right.

Mr. Evarts—If the witness insists that he cannot part with the letters over night, then that is his right.

Mr. Morris—Well, he does insist.

Mr. Evarts (continuing his previous sentence)—But I wish to save time by having them over night, as well as you.

Mr. Morris—The witness does insist, and we propose to have them.

Mr. Tracy—Well, wait till I take some notes from them.

Judge Neilson—The audience will please wait till the jury retire.

Mr. Beach—Wait one moment, your Honor.

Mr. Evarts—One of these is incomplete. [One of three letters which he has received from Mr. Morris.]

The Witness (referring to the same letters)—Those two are complete letters and this is part of one.

Mr. Evarts—This [one of the three letters given him by Mr. Morris] is a letter of Feb. 3, 1868, which I put in evidence, and which will be marked Exhibit D 59. This [another of the same letters] is a letter of Feb. 20, 1868, and will be marked D 60; and this one [another of the same letters] is a letter of Feb. 26, 1868, which will be marked D 61.

Mr. Beach—It seems to me, in that imperfect condition, it ought not to be introduced till we have the whole of it.

The court at this point adjourned till 11 o'clock this morning.

# FORTY-THIRD CONGRESS.

## SECOND SESSION....FEB. 4.

### SENATE.

THE TEA AND COFFEE DUTY.

Numerous petitions against the restoration of duty on tea and coffee, or the revival of internal taxation, and for a repeal of the law of 1872, relieving various foreign products of ten per cent. duty, were presented, and referred to the Committee on Finance.

THE ST. ALBANS RAID CLAIMS.

Mr. WASHBURN, of Massachusetts, from the Committee on Claims, reported adversely on the bill to pay certain persons and corporations therein named for losses sustained by the so-called St. Albans raid, on the 19th day of October, 1864, and it was indefinitely postponed.

DISABILITIES OF CONFEDERATE SOLDIERS WHO HAVE ENLISTED IN THE UNITED STATES ARMY.

Mr. PRATT, of Indiana, from the Committee on Pensions, reported, with amendments, the Senate bill amending the Pension law so as to remove the disability of those who, having participated in the rebellion, have since its termination enlisted in the Army of the United States and become disabled. It was placed on the calendar.

THE FIRST NATIONAL BANK OF ST. ALBANS AND THE RAIDERS.

Mr. WASHBURN, of Massachusetts, from the Committee on Claims, reported with amendments the Senate bill to pay the First National Bank of St. Albans, Vt., $28,650, being the amount of United States notes held by said bank as financial agents of the United States, and forcibly seized and taken away by raiders from the Province of Canada on the 19th of October, 1864. It was placed on the calendar.

The Committee on Claims being entitled to the floor a large number of their bills on the calendar were disposed of.

COUNTING THE ELECTORAL VOTE.

Mr. MORTON, of Indiana, moved that the Senate proceed with the consideration of the concurrent resolution to repeal the twenty-second joint rule of the two Houses of Congress, which was agreed to—yeas 21, nays 18. He said the existence of the rule subjected the country to great danger. After consultation with a number of Senators he had determined to offer the following as a substitute for the motion to repeal: "No objection to the reception and counting of any electoral vote or votes from any State shall be valid unless such objection is sustained by the affirmative vote of the two Houses." Mr. Morton, said he was satisfied that the recent proposed amendment to the Constitution by the Committee on Privileges and Elections, in regard to the election of President and Vice President, could not become a part of the Constitution before the next Presidential election, for the want of time and other reasons. He did not think the twenty-second joint rule should be allowed to remain as it is at present. He had already stated his objections at length to the rule, and did not deem it necessary to go over them again now. Under this rule the vote of every State might be objected to, and thrown out by one or the other House of Congress.

Mr. BAYARD, of Delaware, argued that neither the rule as it now stood nor as proposed to be amended had any warrant under the Constitution, as it was not intended by that instrument that the Senate should have one particle of power in controlling the choice for President or Vice President.

Mr. ANTHONY, of Rhode Island, inquired if the Vice President received more than one package of returns from any State what he should do with them.

Mr. THURMAN said it would be his duty to place them before the joint convention.

Mr. BAYARD agreed with the Senator from Ohio [Mr. Thurman] that all returns should be placed before the joint convention. He [Mr. Bayard] had not made a careful examination of the subject yet, for want of time, and he therefore hoped it would be allowed to lie over that Senators might have an opportunity to examine the matter.

Mr. THURMAN, of Ohio, said that the resolution be referred to the Committee on Privileges and Elections, so that it might be perfected in the committee.

This after some debate, was agreed to.

The Senate, at 4:30 P. M., adjourned.

### HOUSE OF REPRESENTATIVES.

THE CIVIL RIGHTS BILL.

There was again an immense crowd collected in the galleries of the House this morning to witness the close of the debate and the final action on the Civil Rights bill.

The proceedings were opened by a personal explanation from Mr. Lamar, of Mississippi, in denial of a statement made in the Washington *Republican* this morning, in which it was alleged that in the altercation yesterday between Mr. Butler and Mr. McLean the latter had reached his hand behind him to grasp a pistol.

Mr. BLOUNT, of Georgia, spoke against the bill as an entire annihilation of State rights.

Mr. SENER, of Virginia, defended his position as the only Republican member who had voted against the motion to suspend the rules so as to establish a new rule by which the Civil Rights bill could be passed. He had stood with the party in all other matters with all the ability and power which he possessed, because he believed it was the only party that could give to the country a solid and honest Administration. He believed he was not disappointed in that when the passions of the hour had passed away it would be accorded to him that he had done his duty as he understood it in opposed the Civil Rights bill in accordance with the views of the people of his district; he had been defeated for Congress in 1874, although he had received within fifty of the whole colored vote of the district, and he was only defeated because at the last moment the rumor was circulated that under the spur and lash of party discipline he might yield his honest convictions and support the Civil Rights bill. The Republican Party, in forcing this bill, was attempting to do by legislation what never had been done by legislation—that was, to correct and cure prejudice.

The attention of the House was given in a marked degree to Mr. SENER's remarks.

Mr. E. R. HOAR, of Massachusetts, spoke in favor of the bill as the declaration of the American people that henceforth before the law every citizen of the country was on an equality. Social equality had nothing to do with it. The essence of freedom was equality of opportunities. Still he did not believe that the bill if passed into law would produce any very great immediate effect for good or for evil in the Southern States, but the value of the act was similar to that of the Declaration of Independence.

Mr. HALE, of New-York, defended the bill on the question of constitutionality as against the argument made yesterday by Mr. Finck, of Ohio.

Mr. E. H. ROBERTS, of New-York, inquired whether all this debate was not an anachronism. Why should the House be debating at this time whether or not American citizens had equal rights in the several States of the Union? The House had seen the representatives of a great party denying to an American Congress the right to consider this question. Equal rights were already conceded, why could not the constitutional question have been considered without passion and without prejudice? But those rights were denied, and because they were denied he could do no less than insist that the national guarantee should be given that those rights should be secured to all men and all women in all parts of the Republic. He proceeded to discuss some of the details of the bill, particularly in reference to schools. Another great crisis in American history, he saw, had been now reached, and this bill was requisite because a great party had, step by step, put itself against making the Declaration of Independence a political verity. As he always believed that the original Constitution should be construed in the light of the Declaration of Independence, so now he believed that the amendments to it recognized American citizenship and gave to Congress the power to protect the American citizen. He therefore insisted that the time had come when Congress could say that the law should be no respecter of persons.

Mr. BUCKNER, of Missouri, said that he would vote against the bill in all its details, because he did not believe it to be in the interest of the colored people or of the white people. He believed that it would work incalculable damage. He did not believe that a majority of the thinking, careful colored people were in favor of it, but were opposed to it, from the simple fact that their opinion would only tend to increase and intensify the prejudice against them where it now existed, and that if they were now proscribed anywhere the proscription would be greater on the passage of the bill.

Mr. CAIN, a colored member from South Carolina, got the floor for ten minutes, and insisted on the necessity of education for the people of his race.

Mr. GUNCKEL, of Ohio, asked him whether the colored people of the South wanted mixed schools.

Mr. CAIN replied that he did not believe they did. The colored people controlled the whole school system of South Carolina, and they had not a mixed school in the State, except the State College.

Mr. COBB, of Kansas, asked him what he thought would be the effect of the passage of the bill on the school system of the South.

Mr. CAIN replied that if the United States Government passed the law and insisted on obedience to it there would be no trouble at all. [Applause on the Republican side.]

Mr. HICKS, of Louisiana, asked him if he did not believe that in every Southern State controlled by the Democratic Party the whole common-school system would not be abolished rather than have mixed schools.

Mr. CAIN replied that he did not know—that he could not judge the Democracy. [Laughter.] He believed that the colored people were willing to accept anything necessary for the welfare of the country. Secure to us, he said, our liberty; secure us peace; give us a chance to live; put no restrictions on us, and we ask no more of the American people. [Loud applause from the colored crowd in the galleries, and from the Republican members on the floor.]

Mr. CHITTENDEN, of New-York, said that he had been in full communion with the Republican Party ever since there had been such a party in the country, but that he was now going to give a vote which would offend many of his Republican friends. He regarded the bill as fraught with far-reaching results, and as of immense importance to the white man, to the black man, and to the Republican Party, with which he expected to live and die and sink. [Laughter.] But he did not wish it to sink so low as he believed this bill would sink it. He did not believe that there was a community in New-York or New-England that would vote for such a bill if the provisions of the white and colored people there were the same as in South Carolina. He believed the bill to be impolitic, and to be an offense to the dominant race. He regarded it as a cruel oppression to the weaker race at this stage of its struggle for a higher civilization. It would inevitably breed for the black man persecution and prejudice, and raise new barriers to his progress.

Mr. CALDWELL, of Alabama, protested against the bill in any of its forms or phases.

Mr. ELDREDGE, of Wisconsin, protested solemnly against the proposed legislation. The white race, with its pride of blood, the memory of its achievements, the consciousness of its superiority and power, would never brook African equality or live under Africanized governments, and the sooner that truth was recognized by American statesmen, the sooner would the remedy for the evil be found. No statesman, he said, would deny that the investiture of the negro with suffrage was a great mistake. It had not been given to them for their own advantage, but for the benefit of a political party, and the effect of it was that they were now being ground between the upper and nether mill-stones of two antagonistic forces.

Mr. BROWN, of Kentucky, opposed the bill, although he acknowledged that it was a foregone conclusion that to-day's sun would set upon it as the law of the land. Men on the Republican side had been dragooned into its support. Its success had been in a measure accomplished by daring and revolutionary invasions on the time-honored rules of the House. It had been born in malignity, would be passed in defiance and violation of the Constitution, and would be executed in violence and in bloodshed, as he feared.

Mr. HALE, of New-York, objected to the last sentence as unparliamentary, but it having been reduced to writing and read from the Clerk's desk, the Speaker ruled that it did not transcend the limits of parliamentary debate.

Mr. SPEER, of Pennsylvania—That is an honest decision.

Mr. BROWN, continuing his remarks, said that he regarded the bill as part of the machinery to be set in motion for the campaign of 1876. He believed that a deliberate conspiracy had been formed for the overthrow of constitutional liberty. You men, said he, who propose to pass this bill, have been weighed in the balance, and been found wanting.

The SPEAKER informed Mr. Brown that he must address the Chair.

Mr. BROWN—Mr. Speaker, your conduct in this and other matters [laughter at the effect of Mr. Brown's obedience to the Speaker] reminds me of a passage in *Junius* where he describes a bad tenant, having received notice to quit, breaking the furniture, putting the house in disorder, and doing all that he could to vex the landlord. Mr. Speaker, the South is broken; it lies in helplessness and despair, with homes dilapidated, villages wasted, its people bankrupt. Is there nothing in that situation to touch you with pity? If your magnanimity cannot be reached, will you not be moved by some sense of justice? In 1872, by a conspiracy between the Attorney General and Kellogg and a drunken Federal Judge, the sovereignty of a State was overthrown. That usurpation has been perpetuated since by bayonets. But recently one of your Generals entered the legislative halls, as Cromwell entered the English Parliament with Col. Pride, and ruthlessly expelled the occupants. Onward and onward you go in defiance of the sentiment of the country without pity and without justice, remorselessly determined, it seems, to drive the Southern people to destruction, to "Give their roofs to the flames and their flesh to the eagles." A Federal General steps on the scene, and sends a dispatch to the world that the people of that State are banditti. We have heard it echoed elsewhere that they were thieves, and murderers, and night-riders. The clergy of that State, Jew and Gentile, have denied it. The business men of the Northern residents have denied it. A committee of your own House, a majority being Republican, has given to it solemn and emphatic contradiction, and nailed the slander to the counter. Now, what should be said if that accusation should come from one—(I speak not of men, but of language within the rules of this House)—if that accusation against that people should come from one who is outlawed in his own home, from respectable society, whose name is synonymous with falsehood, who is the champion, and has been such on all occasions, of fraud; who is the apologist of thieves; who is such a prodigy of vice and meanness, that to describe him imagination would sicken and imagination would exhaust itself? In Scotland, years ago, there was a man whose trade was murder, and he earned his livelihood by selling the bodies of his victims for gold. He linked his name to his crime, and to-day throughout the world it is known as "burking."

The SPEAKER—Does the Chair understand the gentleman to be referring in this language to a member of the House?

Mr. BROWN—No, Sir. I am describing a character who is in my mind's eye.

The SPEAKER—The Chair understood the gentleman to refer to a member of the House?

Mr. BROWN—No, Sir, I cannot name. This man's name was linked to his crimes, and to-day, throughout the world it is known as "burking." If I was to desire to express all that was pusillanimous in war, inhuman in peace, forbidding in morals, and infamous in politics, I should call it "Butlerizing." [Sensation.]

The SPEAKER (interrupting Mr. Brown)—The gentleman did not deal in good faith with the Chair. He did not answer in good faith the question addressed to him.

Mr. HALE, of New-York, insisted that Mr. Brown's language be reduced to writing, and read from the Clerk's desk.

While the reporter was writing it down the excitement in the House was at red heat.

The SPEAKER took occasion to remark further that he had not been paying close attention to what the gentleman from Kentucky had said, and had addressed an inquiry to him, which had been answered either deceivingly or evasively, and that he could not tell which. If would have been inexcusable in the Chair to have permitted such language to be used, and his exculpation rested on the evasive reply of the gentleman from Kentucky.

The report of Mr. Brown's objectionable remarks having been read from the Clerk's desk, Mr. HALE, of New-York, offered a resolution stating that language, as well as with the prevarication by which the gentleman was enabled to continue the utterance of the language, the gentleman from Kentucky was guilty of a violation of the privileges of the House, and merited the severest censure of the House, and that he be now brought to the bar of the House in the custody of the Sergeant at Arms, and there be publicly censured by the Speaker in the name of the House.

Mr. DAWES, of Massachusetts, offered the following as a substitute for Mr. Hale's resolution:

*Resolved*, That John Young Brown, a member of the House from the State of Kentucky, be expelled from the House for gross violation of the rules and privileges of the House in the use on the floor of the language just read by the Clerk, and for falsely stating to the Speaker of the House that he did not refer to any member of the House.

Mr. HALE declined to yield for the Dawes substitute, and moved the previous question.

Mr. COX [to Mr. Hale.] You cannot force this thing on the House. There has been provocation for what the gentleman from Kentucky said.

The House refused to second the previous question.

Mr. DAWES then said the gentleman [Mr. Hale] will see that there is much propriety in proceeding deliberately and in giving the gentleman from Kentucky opportunity to be heard, if he desires as it is to pass any resolution at all. He said that he regretted the necessity of offering the resolution, as his connections with the gentleman from Kentucky had been always kind. He had been shocked and pained by what had occurred to-day, and nothing but a belief that the House would vindicate itself and its rules would have induced him to offer the resolution. As to the resolution offered by the gentleman from New-York, [Mr. Hale,] he was afraid that the gentlemen from Kentucky would see nothing in it that would be deemed any punishment. He knew that there was a frame of mind from a disposition which was now being anew inaugurated in this hall, that reminded him of the olden times. I have been here, said he, when the freedom of debate was vindicated only by forming a hollow square in front of the Speaker's desk while men uttered their sentiments, and when the galleries were filled with armed men, whose threats à la silence operated on this floor were audible in any part of the hall. I had hoped that that day had passed, and passed forever. I had hoped that the condition or things which made such a proceeding possible, was never to return again; at least, I had hoped that not while I occupied a seat in this House should I be called upon to act in here and to-day, and I call for the previous question on the resolution offered by the gentleman from New-York. [Mr. Hale.]

The previous question was seconded.

Mr. ELDREDGE asked to have the word "prevarication" struck out of the resolution, and the word "evasion," as used by the Speaker, substituted for it; but there were objections made to it by many Republican members.

Mr. COX moved to lay the resolution on the table, which was negatived—yeas, 82; nays, 167.

The resolution offered by Mr. Hale was then adopted—yeas, 161; nays, 79.

Mr. BUTLER, of Massachusetts, who had sat quietly throughout the whole proceedings, now rose and asked leave to make a personal explanation.

Unanimous consent was given, and he proceeded: The courtesies and proprieties of the occasion seem to call upon me to make no observation, although gentlemen of the minority were engaged in hunting up and bringing to the attention of the country various supposed shortcomings and wrong-doings of mine under circumstances which prevented my replying to them. In the language of a gentleman of the minority, whom I very much respect, it did not take very much courage to do that. I have been here now eight years, and have engaged in debate—perhaps a good deal more than I ought to have done—and now I call upon all the gentlemen who have served with me during the present Congress, and any who have served with me during any of the eight years I have been here, to say whether in all that time I have ever commenced a personal attack on any man in this House, or whether I have ever stepped out of my way to say an unkind word of a single gentleman unless first attacked. Let him speak whom I have offended. Let this thing be settled once for all. I have endeavored with studied courtesy never to attack, and I have also endeavored, when I have been attacked, never to leave the man until he was sorry he did it, [laughter,] and, Mr. Speaker, I have no more to say.

The SPEAKER then directed the reading of the resolution, and it having been read the Sergeant at Arms escorted Mr. Brown to the area in front of the Speaker, all the Democratic members being on their feet and exhibiting great feeling on the occasion, while many Republican members were also standing, and the crowds in the galleries were straining eyes and ears to witness the unusual incident. Mr. Brown remained standing, with one hand on his breast and the other behind his back, while the Speaker in a dignified and severe tone, administered the censure of the House in the following terms:

Mr. John Young Brown, you are charged at the bar of the House, under its formal resolution, for having transgressed its rules by disorderly remarks, and for having resorted to prevarication when your attention was called to the rules of decorum by the Speaker. For this duplicate offense the House has directed that you be publicly censured at its bar. No words from the Chair, in the performance of this most painful duty, could possibly add to the gravity of the occasion or the severity of the punishment. It remains only to pronounce, in the name of the House, its censure for the two offenses charged in the resolution.

Mr. BROWN—I wish now to state that I intended no evasion or prevarication to the Speaker, and no disrespect to the House.

With these remarks Mr. Brown returned to his seat, and this exciting incident came to a close.

MR. STOWELL, OF VIRGINIA, ACQUITTED.

Mr. SCOFIELD, of Pennsylvania, from the Committee on Naval Affairs, made a unanimous report acquitting Mr. Stowell, of Virginia, of the charge made against him, of selling a naval cadetship, and the report was agreed to.

The House thereupon, at 5:40 P. M., took a recess till 10 o'clock to-morrow morning.

## A CONGREGATIONAL CONFERENCE.

### THE CHURCHES OF NEW-YORK AND VICINITY—MR. HALLIDAY REPORTS GREAT PROSPERITY AND PEACE IN PLYMOU H CHURCH—THE LORD'S SUPPER DISCUSSED—REV. DRS. TAYLOR, SCUDDER, AND OTHERS TAKE PART.

A Conference of the Congregational churches of New-York, Brooklyn, New-Jersey, and vicinity was held yesterday at the Church of the Disciples, Forty-fifth street and Madison avenue. The conference held two sessions—one in the afternoon at 3 o'clock, and the other in the evening at 7:30. The following churches were represented: Church of the Pilgrims, Brooklyn; Central Church, Brooklyn; Puritan Church, Brooklyn; Church of the Covenant, Brooklyn; Second Avenue Church, Brooklyn; First Church, Parkville, Long Island; First Church, Morrisania; First Church, Newark, N. J.; Orange Valley Church, Orange, N. J.; First Church, Paterson, N. J.; Second Church, Greenwich, Conn.; the American Board of Commissioners for Foreign Missions; Plymouth Church, Brooklyn; Bedford Church, Brooklyn; Park Church, Brooklyn; Warren Street Church, Brooklyn; Congregational Church of Harlem; First Church, Woodhaven, Long Island; First Church, Poughkeepsie, N. Y.; Bellevue Avenue Church, Newark, N. J.; Second Valley Church, West Orange, N. J.; First Church, Elizabethport, N. J.; the American Home Missionary Society; the American College and Education Society; Clinton Avenue Church, Brooklyn; Union Church, Brooklyn; Smyrna Church, New-York; Church of the Disciples, New-York; St. Paul's, Flatbush, Long Island; First Church, Jersey City, N. J.; Trinity Church, Orange, N. J.; First Church, Montclair, N. J.; First Church, Plainfield, N. J.; First Church, Middletown, N. Y.; First Church, North Greenwich, Conn.; the American Missionary Association; South Church, Brooklyn; New-England Church, Brooklyn; Church of the Mediator, Brooklyn; Broadway Tabernacle Church, New-York; First Church, New Lots, Long Island; First Church, Flushing, Long Island; Second Church, Jersey City; Grove Street Church, East Orange, N. J.; First Church, Saugerties, N. Y.; First Church, Stamford, Conn., and the American Congregational Union.

Rev. Dr. Taylor, of the Broadway Tabernacle, Moderator of the conference, presided. At the afternoon session the routine business was dispensed of, reports were received, and the meeting joined in religious exercises. A discussion was also opened on the subject of the Lord's Supper, which was continued in the evening. The reports received yesterday were from the Second Division of the Congregational Churches, which included Plymouth Church, Brooklyn. Mr. Beecher was not present, but was represented by the Assistant Pastor, Mr. Halliday, who tendered the report.

At 3 o'clock the proceedings were opened by the singing of the 1821 hymn. Dr. Taylor then read apportion of the Epistle of St. Paul to the Ephesians, after which Rev. Dr. Bacon, of Orange Valley Church, N. J., offered prayer. The minutes of the last meeting having been read and approved and the financial statement placed on file, a committee was appointed to nominate office-bearers for the next year.

The reports from the churches were next in order, and that of Plymouth Church was first on the list of the Second Division. The report stated that the goodness of God was evidenced in the continued prosperity and peace of Plymouth Church. The number of members at the close of last year was 2,310; there had been removed by death, 23; removed by letter to other churches, 34; dropped from the roll, 26; admitted by letter, 48, and on profession of faith, 115. The increase during the year amounted to 80 members, the present number being 2,390. The Plymouth Sunday-school had 903 members, including the infant class; the Bethel Mission, 1,151, and the Mayflower Mission 625, making a total of 2,679. The largest attendance, the report states, was 2,317, and the average attendance, 1,720. The congregation attending service was about 3,000, and the attendance at the weekly prayer-meeting about 1,000. The church contains 500 free seats, and during evening service many of the pew-holders, who had attended morning service, were in the habit of remaining at home, so that the seats might be given up to visitors, a practice which, the report stated, was encouraged by the Pastor. After stating that the amount contributed by the church for public services, Sunday-schools, &c., for the next year amounted to $72,000, or $12,000 in excess of that contributed last year, the report went on to say that the congregation were conscious that the ministrations of their Pastor had been blessed by the Divine Spirit, during the year, in a signal manner. The fervor of their love and trust toward the Pastor, and harmony among themselves, had never been greater than now. The labors in which they were actively engaged, and the trials through which they had been called upon to pass, had drawn them more closely together in the bonds of sympathy.

Rev. Mr. Halliday here said that he was anxious to call attention to an error which had crept, he did not know how, into the accounts of the New-York General Association. In these accounts Plymouth Church was credited with benevolent contributions to the amount of $3,221. He was aware that the sum of about $20,000 had been contributed, and he did not wish it to appear that the benefactions of Plymouth Church should be so small as appeared by the accounts.

Reports were then presented from the Bedford Church, of Brooklyn; the Congregational Church, of Harlem; the Belleville Avenue Church, of Newark, N. J.; the Second Valley Church, West Orange; and the First Church, of Elizabeth, N. J. The last-mentioned represented the church as deeply indebted, and appealed for aid; but for the most part the reports were favorable. A verbal report, offered on the part of the American Home Mission Society, represented the condition of the society as favorable. It was the recipient of several legacies, and its work was attended with successful results.

The American College and Education Society which came before the conference for the first time in this form, presented a reported which showed plain y its working efficiency. It had helped into the ministry over 6,000 young men; it had now 377 beneficiaries, and had out a large amount of money into seminaries and colleges, and were all these to die to-morrow they would not die in debt to the country. The seminaries, the report states, had graduated 887 ministers, and the colleges in the preparatory department had given more or less of academic education to over thirty thousand pupils. The graduates numbered about thirty-four thousand, and had given the world about twelve hundred ministers. This was the last of the reports, and a statement was then made by Dr. Hepworth as to the financial condition of the Church of the Disciples. It appears that the church is indebted to the extent of $180,000.

On the call of the Moderator, Rev. Dr. Anderson and Rev. Dr. Stephen Tyng, Jr., who were present as guests, addressed to the meeting a few words expressive of Christian congratulation and the reciprocation of Christian love.

The committee appointed to nominate office-bearers for the next year reported that they had nominated Rev. Dr. Taylor for Moderator, and Rev. H. H. MacFarlane for Secretary, and the nominations were unanimously approved.

The discussion on the Lord's Supper was then opened, and was continued during the evening session. The members of the conference and all the other persons present were, on the invitation of Dr. Hepworth, the guests of the church during the recess which was taken, and were entertained at a collation.

Rev. Dr. Edward Beecher, on the invitation of the Moderator, opened the discussion. It was a subject, he said, which elevated one into another atmosphere and brought one into the region of Christ's sympathy, His thought, and His emotion. What, he asked, were the thoughts in the mind of Christ as He ordained this supper? What did He look forward to as to the ultimate result for which He was giving himself to death upon the cross? He felt that He was assuming the authorship of a great enterprise that involved the whole moral government of God. He saw around Him a universe, one part of which was in revolt, and which was to be reorganized by His death.

Rev. Dr. Scudder discussed the question from the point of view that coming to the Lord's supper was a joyful thing, and that men should come to it as to a festival, and not as to a funeral. It should be remembered, he said, that there was no condemnation to us, and that Christ asked us to do this in remembrance of Him. We should remember that it was the Lord's table, a happy Christian reunion.

Rev. Dr. Taylor considered the Lord's Supper as a memorial ordinance. We were so apt to forget Christ, he said, and he thought our best preparation was a consciousness of our danger of forgetting Him. It was a memorial between two great facts, the first coming and the future coming of our Lord; a memorial wherein our hope was strengthened by anticipation of the future, and our faith strengthened by the retrospect of the past.

To Rev. Dr. Bacon, of Orange Valley, N. J., it seemed a great movement of catholic unity, and one which would bring the Church into larger liberty. The discussion subsequently branched into the question whether it was in all cases desirable that persons who had the privilege of sitting down to the Lord's table should be also deemed qualified to belong to a particular church. Rev. Dr. Taylor pointed out that the Lord's table was undenominational, and therefore he would sit down to the Lord's table with a person of any denomination, but that he would hesitate to enter into a church where a particular qualification was required.

Rev. Dr. Hepworth, Rev. Dr. H. M. Sterrs, of the Missionary Society, and several members of the laity took part in the discussion. It was expected that Rev. Dr. R. S. Storrs, of Brooklyn, would be present, but he did not arrive. A vote of thanks having been passed to Dr. Hepworth and the gentlemen of the Church of the Disciples for their hospitality, the 490th hymn was sung and the conference adjourned.

# MUNICIPAL FINANCES.

## MEETING OF THE BOARD OF APPORTIONMENT.

Every meeting of the new Board of Apportionment has been inharmonious, and yesterday's session was no exception to the rule. At 11 o'clock Mayor Wickham took the chair, and the Controller immediately called up his resolution—submitted on the previous day—transferring balances, amounting to $16,998 79, from various institutions to the annexed charities, to be distributed as follows:

| | |
|---|---|
| Hebrew Benevolent Society | $345 67 |
| Colwin Home and School, &c. | 345 74 |
| Childrens's Fold | 1,037 23 |
| New-York Catholic Protectory | 9,467 73 |
| Protestant Episcopal House of Mercy | 1,295 53 |
| Nursery and Child's Hospital | 4,536 85 |
| Total | $16,998 75 |

The resolution was unanimously adopted. The board then authorized the Controller to issue $160,000 worth of Museum of Art and Natural History stock, and to transfer the balance of $8,013 from the appropriation for removing dead animals in 1874 to that of contingencies of the Health Department for the present year. A few transfers of small balances were also made.

Controller Green called attention to the resol

## SHIPPING.

### CUNARD LINE B. & N. A. R. M. S P. CO.

NOTICE.

With the view of diminishing the chances of collision, the steamers of this line take a specified course for all seasons of the year

On the outward passage from Queenstown to New-York or Boston, crossing meridian of 50 at 43 latitude, or nothing to the north of 43.

On the homeward passage, crossing the meridian of 50 at 42, or nothing to the north of 42.

FROM NEW-YORK FOR LIVERPOOL AND QUEENSTOWN.

CUBA.....WED. Feb. 10 PARTHIA....WED., Feb. 24
ABYSSINIA. WED., Feb. 27 ALGERIA...WED., March 3
[steamers marked * do not carry steerage passengers.

Cabin passage, $80, $100, and $130, gold, according to accommodation. Return tickets on favorable terms.

Steerage tickets to and from all parts of Europe at current rates. Freight and cabin office, No. 4 Bowling green. Steerage office, No. 111 Broadway. (Trinity Building.) EDW. G. FRANCKLYN, Agent.

### WHITE STAR LINE.

FOR QUEENSTOWN AND LIVERPOOL, CARRYING UNITED STATES MAIL.

NEW AND FULL-POWERED STEAM-SHIPS.

Sailing from New-York on SATURDAYS, from Liverpool on TUESDAYS, calling at Cork Harbor each way.

REPUBLIC.....SATURDAY, Feb. 6, at 3 P. M.
BALTIC.....SATURDAY, Feb. 13, at 11 A. M.
BELGIC.....SATURDAY, Feb. 20, at 3 P. M.
ADRIATIC.....SATURDAY, Feb. 27, at 10 A. M.

From White Star Dock, Pier No. 52 North River.

Passenger accommodations (for all classes) unrivaled, combining

SAFETY, SPEED, AND COMFORT.

Saloon, State-rooms, smoking-room, and bath-rooms in MIDSHIP section, where least motion is felt. Surgeons and stewardesses accompany these steamers.

Rates—Saloon $80, gold; return tickets, $140, gold; steerage at low rates. For sailings after February the saloon rates will be $80 and $100, gold.

Drafts from £1 upward.

For inspection of plans and other information apply at the Company's offices, No. 19 Broadway, New-York.

F. J. CORTIS, Agent.

### ONLY DIRECT LINE TO FRANCE.

THE GENERAL TRANSATLANTIC COMPANY'S MAIL STEAM-SHIPS BETWEEN NEW-YORK AND HAVRE

The splendid vessels on this favorite route, for the Continent, (being more southerly than any other,) will sail from Pier No. 50 North River as follows:

LABRADOR, Paris, Saturday, Feb. 6
PEREIRE, Dauge.....Saturday, Feb. 20

PRICE OF PASSAGE: IN GOLD (including wine,) First Cabin, $125.... Second Cabin, $75..... Third, $35.

Excursion tickets at reduced rates.

American travelers, by taking this line, avoid both transit by English railway and the discomforts of crossing the Channel, besides saving time, trouble, and expense. GEORGE MACNEIL, Agent, 55 Broadway.

### NATIONAL LINE.

From Piers Nos. 44 and 47 North River.
TO QUEENSTOWN AND LIVERPOOL.

Spain....Sat., Feb. 6 | S.P. Mystic ...Sat., Feb. 20, 3 P. M.
Erin..Sat. Feb. 13 | Inman Line Queen...Feb. 27, 10 A.M.

FOR LONDON DIRECT.

GREECE.....Thursday, Feb. 11, 9:30 A. M.

Cabin passage, $60 and $70, currency. Steerage at greatly reduced rates. Return tickets at reduced rates. Prepaid steerage tickets from Liverpool at the lowest rates. Apply at the company's office, No. 69 Broadway. F. W. J. HURST, Manager.

### INMAN LINE.—SOUTHERLY COURSE.

Royal Mail Steamers are appointed to sail as follows:

FOR QUEENSTOWN AND LIVERPOOL.

CITY OF LONDON.....Saturday, Feb. 6 at 3 P. M.
CITY OF MONTREAL.....Saturday, Feb. 13, at 11 A. M.
CITY OF CHESTER.....Saturday, Feb. 20, at 3 P. M.
CITY OF BROOKLYN.....Saturday, Feb. 27, at 10 A. M.
CITY OF NEW-YORK.....Saturday, March 6, at 3 P. M.

CABIN PASSAGE, $80, $90, and $70, gold.

STEERAGE.—To and from all points, at reduced rates. Cards and general offices, No. 15 Broadway.

Steerage offices, No. 33 Broadway, and Pier No. 45 North River.

JOHN G. DALE, Agent

### FOR LIVERPOOL.

(VIA QUEENSTOWN),
CARRYING THE UNITED STATES MAILS.

THE LIVERPOOL AND GREAT WESTERN STEAM COMPANY will dispatch one of their first-class full-power iron screw steamships from

PIER NO. 46 NORTH RIVER, EVERY TUESDAY, as follows:

WISCONSIN, Capt. FREEMAN.....Feb. 16, at 2 P. M.
IDAHO, Capt. ROSSITER.....March 2, at 1 P. M.

Cabin passage, $80, gold.

Steerage passage, (Office No. 29 Bway,) at low rates.

For freight or passage apply to

WILLIAMS & GUION, No. 63 Wall st.

### NORTH GERMAN LLOYD STEAM-SHIP CO.

FOR SOUTHAMPTON AND BREMEN.

The steamship O. R. Capt. KOTTENDORP, will sail on SATURDAY, Feb. 6 2 P. M., from Bremen Pier, foot 2d st., Hoboken, to be followed by steamship HANSA Capt. H. HAGE SEN., on SATURDAY, Feb. 13.

RATES OF PASSAGE TO LONDON, HAVRE, AND BREMEN.

First cabin.....$100 gold.
Second cabin.....60 gold.
Steerage.....24 currency.

For freight or passage apply to

OELRICHS & CO., Agents. No. 2 Bowling green.

### EAGLE LINE.

UNITED STATES MAIL STEAM-SHIPS
TO PLYMOUTH, CHERBOURG, AND HAMBURG.

The elegant Clyde-built steam-ships will sail from New-York as follows:

EL PASTOCK, Capt. FISCHER, Feb. 9.
GOETHE, Capt. WILSON, Feb. 16.

From Eagle Line Pier, foot of 1st st., Hoboken.

RATES OF PASSAGE:

PLYMOUTH, LONDON, CHERBOURG, and HAMBURG, Cabin, first saloon, $100, gold; second saloon, $60, gold. Steerage to Plymouth and London, Cherbourg, and Hamburg, $24, currency. Prepaid steerage tickets from Hamburg, $24, currency. For freight apply to LUNCH, EDYE & CO., No. 27 South William st. For passage apply to KNAUTH, NACHOD & KUHNE, General Agents, No. 113 Broadway.

### GREAT SOUTHERN FREIGHT

AND

PASSENGER LINE
FOR CHARLESTON, S. C.,
THE FLORIDA PORTS,
AND THE
SOUTH AND SOUTH-WEST.

SEMI-WEEKLY, EVERY WEDNESDAY AND SATURDAY AT 3 P. M.,
from Pier No. 29 North River.

CHAMPION, Capt. D. W. Lockwood, Saturday, Feb. 6.
GEORGIA, Capt. S. CROWELL, Wednesday, Feb. 10.

Superior accommodations for passengers.

Insurance by this line ONE-HALF PER CENT.

Goods forwarded free of commission.

Passage tickets and bills of lading issued and signed at the office of

JAMES W. QUINTARD & CO., Agents,
No. 177 West st. (corner of Warren,)
Or W. P. CLYDE & CO.,
No. 6 Bowling green.

Through freight tariffs. Passage tickets by all routes and to all points in the South and South-west, and further information can be obtained at the office of

BENTLEY D. HASELL,
General Agent Great Southern Freight Line,
No. 317 Broadway.

### FOR SAVANNAH, GA.,

THE FLORIDA PORTS,
AND THE SOUTH AND SOUTH-WEST.

GREAT SOUTHERN FREIGHT AND PASSENGER LINE, CENTRAL RAILROAD OF GEORGIA AND ATLANTIC AND GULF RAILROAD.

WEDNESDAYS AND SATURDAYS.

SAN JACINTO, Capt. HAZARD, SATURDAY, Feb. 6, from Pier No. 43 North River, at 3 P. M.

WM. R. GARRISON, Agent,
No. 5 Bowling Green.

GULF STREAM, Capt. FAIRCLOTH, WEDNESDAY, Feb. 10, from Pier No. 12, North River, at 3 P. M.

E. LOWDEN, Agent,
No. 3 West st.

SAN SALVADOR, Capt. NICKERSON, SATURDAY, Feb. 13, from Pier No. 43 North River, at 3 P. M.

WILLIAM R. GARRISON, Agent,
No. 5 Bowling Green.

CLEOPATRA, Capt. BULKLEY, WEDNESDAY, Feb. 17, Pier No. 16 East River, at 3 P. M.

MURRAY, FERRIS & CO., Agents,
No. 62 South st.

Insurance by this line ONE HALF PER CENT.

Superior accommodation for passengers.

Through rates and bills of lading in connection with Central Railroad of Georgia, to all points.

Through rates and bills of lading in connection with the Atlantic and Gulf Railroad and Florida steamers.

GEORGE YONGE, Agent,
Central Railroad of Georgia,
No. 409 Broadway.

### ANCHOR LINE.

NEW-YORK AND GLASGOW.
STEAMER EVERY SATURDAY.
RATES OF PASSAGE, PAYABLE IN GOLD.
TO GLASGOW, LIVERPOOL, LONDONDERRY, OR BELFAST:

Cabin, $50, $60, and $70, according to accommodations.
INTERMEDIATE AND STEERAGE
at low as by any other first-class line.

Drafts issued for any amount at lowest rates.

Company's offices, No. 7 Bowling green.

HENDERSON BROTHERS, Agents.

### FOR ST. THOMAS AND BRAZIL.

THE UNITED STATES AND BRAZIL MAIL STEAM-SHIP COMPANY.

Regular mail steamers SAILING 23D OF EVERY MONTH, making close connections at RIO DE JANEIRO with the English and French Mail Steam-ships at MONTEVIDEO and BUENOS AYRES.

The splendid steam-ship SOUTH AMERICA, Capt. F. L. DINKELACKER, will sail from PIER No. 43 NORTH RIVER, on MONDAY, Feb. 22, at 9 o'clock A. M., calling at ST. THOMAS, PARA, PERNAMBUCO, BAHIA, and RIO DE JANEIRO, going and returning.

First cabin passage to St. Thomas, $100; to Para, $150; to Pernambuco, $200; to Bahia, $210, and to Rio de Janeiro, $225, gold. Steerage half price. EXCURSION TICKETS, good for six months, at three-quarters of above rates. Freights greatly reduced.

Direct communication to Europe, via St. Thomas.

Apply to WM. R. GARRISON, No. 5 Bowling green.

### ATLAS MAIL LINE.

BI-MONTHLY SERVICE TO HAYTI, VENEZUELA, CURACOA, MARACAIBO, JAMAICA, AND COLUMBIA.

First-class, full-powered iron screw steamers, from Pier No. 51 North River:

NASSAU, KINGSTON, and COLUMBIA.

ALPS.....Feb. 5.
ANDES.....Feb. 23.

HAYTI, VENEZUELA and CURACOA.

CLARIBEL.....Feb. 13.
ATLAS.....March 4.

PIM, FORWOOD & CO., Agents,
No. 56 Wall and No. 59 Pine st.

### NOTICE TO TRAVELERS.

Families or gentlemen going to travel on the Continent of Europe, who can afford the expense of a courier, should never leave Paris without one. Their services are invaluable in relieving the traveler from multiplicity of cares and troubles respecting passports, examination and conveyance of luggage, in securing the best accommodation, in protecting the traveler from imposition, and an infinity of annoyances to which they are exposed in various parts of the Continent. Competent and trustworthy couriers and traveling servants may always be obtained by applying at the COURIER BOOTH, No. 5 Rue d'Alger, near the Tuileries Garden, Paris.

## SHIPPING.

NEW-YORK, HAVANA AND MEXICAN MAIL & S. LINE
Steamers leave Pier 3 North River, at 3 P. M., as follows
FOR HAVANA DIRECT.

CITY OF MEXICO.....Tuesday, Feb. 16
CITY OF VERA CRUZ, (new).....Thursday, Feb. 18
CITY OF NEW-YORK.....Thursday, Feb. 25

FOR VERA CRUZ AND NEW-ORLEANS, calling at Havana, Progreso, Campeachy, Tuspan, and Tampico.

CITY OF MEXICO.....Tuesday, Feb. 16
CITY OF HAVANA.....Tuesday, March 9

For freight or passage apply to
F. ALEXANDER & SONS, No. 33 Broadway.

Steamers will leave New-Orleans Feb. 20 and March 13 for Vera Cruz and all the above ports.

### NEW-YORK AND HAVANA DIRECT MAIL LINE.

These first-class steam-ships will sail at 3 P. M., from Pier No. 13 North River, (foot of Cedar st.,) for Havana direct, as follows:

CRESCENT CITY, Capt. CURTIS Thursday, Feb. 11.
COLUMBUS, Capt. E. C. REED, Tuesday, Feb. 23.

For freight or passage (having unsurpassed accommodations) apply to WM. P. CLYDE & CO.,
No. 6 Bowling green.

McKELLAR, LULING & Co., Agents in Havana.

## RAILROADS.

### PENNSYLVANIA RAILROAD.

THE GREAT TRUNK LINE
AND UNITED STATES MAIL ROUTE.

Trains leave New-York from foot of Desbrosses and Courtlandt sts., as follows:

Express for Harrisburg, Pittsburg, the West and South, with Pullman Palace Cars attached, 9:30 A. M., 5 and 8:30 P. M. Sunday, 5 and 8:30 P. M.

For Williamsport and Lock Haven, (via Philadelphia and Erie Railroad Division, connecting at Philadelphia,) 9:30 A. M. For Williamsport, Lock Haven, Corry, and Erie, 8:30 P. M., connecting at Corry for Titusville, Petroleum Centre, and the Oil Regions.

For Baltimore, Washington, and the South, "Limited Washington Express" of Pullman Parlor Cars daily, except Sunday, 9:30 A. M.; arrive Washington 4:10 P. M. Regular at 8:40 A. M.; 3 and 9 P. M. Sunday, 9 P. M.

Express for Philadelphia, 7, 8:40, 9:30 A. M., 12:30, 3, 4, 4:10, 4:50, 5, 7, 8:30, 9 P. M., and 12 night. Sunday, 4:50, 5, 7, 8:30, and 9 P. M. Emigrant and second class, 7 P. M.

For Newark at 6, 6:30, 7, 7:40, 8, 9, 10, 11 A. M., 12 M., 1, 2, 2:30, 3:10, 3:40, 4:10, 4:30, 5, 5:20, 5:40, 6, 6:10, 6:30, 7, 7:30, 8:10, 10, 11:30 P. M., and 12 night. Sunday, 5:20, 7, and 8:10 P. M.

For Elizabeth, 6, 6:30, 7, 7:40, 8, 9, 10 A. M., 12 M., 1, 2, 2:30, 3:10, 3:40, 4:10, 4:30, 4:50, 5:20, 5:40, 6, 6:10, 6:30, 7, 7:30, 8:10, 10, 11:30 P. M., and 12 night. Sunday, 5:20, 7, and 8:10 P. M.

For Rahway, 6, 6:30, 7, 8, 10 A. M., 12 M., 1, 2, 2:30, 3:10, 3:40, 4:10, 4:30, 4:50, 5:20, 5:40, 6, 6:10, 6:30, 7, 8:10, 10 P. M., and 12 night. Sunday, 5:20 and 7 P. M.

For Woodbridge, Perth Amboy, and South Amboy, 6 and 10 A. M., 2:30, 4:50, and 6 P. M.

For New-Brunswick, 7 and 8 A. M., 12 M., 2, 3:10, 4:10, 5:20, 6:10, 7 P. M., and 12 night. Sunday, 7 P. M.

For East Millstone, 12 noon, 3 and 5:20 P. M.

For Kingston and Rocky Hill, 8:40 A. M. and 4:10 P. M.

For Princeton, 7, 8:40 A. M., 12:30, 2, 4:10 and 7 P. M.

For Lambertville and Flemington, 9:30 A. M. and 2 P. M.

For Phillipsburg and Belvidere, 9:30 A. M. and 2 P. M.

For Trenton, Bordentown, Burlington, and Camden, 7 and 9:30 A. M., 12:30, 2, 4, 5, and 7 P. M.

For Freehold, 7 A. M., 2 and 4:10 P. M.

For Farmingdale and Squan, 7 A. M. and 2 P. M.

For Hightstown, Pemberton, and Camden via Perth Amboy, 2:30 P. M.

For Hightstown and Pemberton, 6 A. M.

Trains arrive as follows: From Pittsburg, 6:55 and 11:20 A. M. and 10:35 P. M., daily; 10:15 A. M. and 7:40 P. M., daily, except Monday. From Washington and Baltimore, 6:20 A. M., 4:15, 5:15, and 10:27 P. M. Sunday 6:20 A. M. and 10:27 P. M. From Philadelphia, 5:10, 6:20, 6:55, 10:15, 11:20, 11:54 A. M., 2:15, 4:15, 5:15, 7:35, 7:10, 8:44, 10:27 P. M. Sunday 5:10, 6:20, 6:55, 11:54 A. M., 7:40 and 10:27 P. M.

Ticket Offices, Nos. 526 and 944 Broadway, No. 4 Astor House, and foot of Desbrosses and Courtlandt sts., No. 4 Court st., Brooklyn; Nos. 114, 116, and 118 Hudson st., Hoboken. Emigrant Ticket Office, No. 8 Battery place.

FRANK THOMSON, D. M. BOYD, Jr.,
General Manager. General Passenger Agent.

### CENTRAL RAILROAD OF NEW-JERSEY.

ALLENTOWN LINE TO THE WEST.

Passenger and Freight Station in New-York, foot of Liberty st. Connects at Somerville with South Branch Railroad; at Hampton Junction with Delaware, Lackawanna and Western Railroad; at Phillipsburg with Lehigh and Susquehanna Division; also with Lehigh Valley Railroad. Direct line to Harrisburg, Pittsburg, and the West; also to Central Pennsylvania and New-York State.

WINTER ARRANGEMENT.

Commencing Jan. 18, 1875.—Leave New-York as follows:

5:15 A. M.—News Train for Flemington, Easton, Bethlehem, Bath, Allentown, Mauch Chunk, Tamaqua, Shamokin, Wilkesbarre, Scranton, &c.

6 A. M.—Way Train for Plainfield.

7 A. M.—Way Train for Easton, Belvidere, Mauch Chunk, Wilkesbarre, Pittston, Mahanoy City, Mt. Carmel, Hazleton, Tunkhannock, Towanda, Waverly, &c. Connects at Junction with Delaware, Lackawanna and Western Railroad.

9 A. M.—Morning Express, daily, (except Sundays,) for Easton, Allentown, Harrisburg, and the West. Connects at Somerville for Flemington: at Lambertsonville for Mauch Chunk, Tamaqua, Towanda, Wilkesbarre, Scranton, &c., with through cars to Danville, Williamsport, &c.

10:30 A. M.—Way Train for Somerville.

12:40 P. M.—Express for Flemington, Easton, Bath, Allentown, Mauch Chunk, Mahanoy City, Hazleton, Wilkesbarre, Scranton, Reading, Columbia, Lancaster, Ephrata, Pottsville, Harrisburg, &c.

2:30 P. M.—Way Train for Easton, Catasauqua, and Belvidere.

3:30 P. M.—Way Train for Plainfield.

4 P. M.—Way Train for Easton, Allentown, and Mauch Chunk. Connects at Junction with Delaware, Lackawanna and Western Railroad.

4:30 P. M.—Way Train for Somerville and Flemington.

5 P. M.—Way Train for Plainfield.

5:15 P. M.—Evening Express, daily, for Easton, Allentown, Mauch Chunk, Wilkesbarre, Towanda, Reading, Harrisburg, Pittsburg, Chicago, &c.

6:30 P. M.—Way Train for Somerville.

6 and 6:45 P. M.—Way Trains for Somerville.

7:30 P. M.—(Emigrant.)—For Easton.

9:15 P. M.—Way Train for Somerville.

12 P. M.—For Plainfield.

For Elizabeth at 5:15, 6, 6:15, 6:40, 7, 7:15, 8, 8:45, 9, 9:30, 10:30, 11:15 A. M., 12 M., 12:40, 1, 2, 2:30, 3, 3:30, 3:45, 4, 4:15, 4:30, 4:45, 5, 5:15, 5:30, 5:45, 6, 6:15, 6:45, 7:15, 7:30, 8:15, 9:15, 10:30, 11:15, 12 P. M.

R. E. RICKER, Superintendent and Engineer.
H. P. BALDWIN, General Passenger Agent.

### ERIE RAILWAY.

Winter Arrangement of through trains December 1874. From Chambers Street Depot. (For 23d St. see note below.)

9:00 A. M., daily, except Sundays, Cincinnati and Chicago Day Express. Drawing-room coaches to Buffalo and sleeping coaches to Cincinnati and Detroit.

10:45 a. M., daily, except Sundays, Express Mail for Buffalo and Niagara Falls. Sleeping coach to Buffalo.

7:00 P. M., daily, Pacific Express to the West. Sleeping coaches through to Buffalo, Niagara Falls, Cincinnati, Detroit and Chicago without change.

7:30 P. M., except Sundays, Western Emigrant train

Above trains leave Twenty-third Street Ferry at 8:45 and 10:15 A. M., and 6:45 P. M.

For local trains, see time-tables and cards in hotels depots.

JNO. N. ABBOTT, General Passenger Agent.

### NEW-YORK CENTRAL AND HUDSON RIVER RAILROAD.—After Nov. 15, 1874, trains will leave Grand Central Depot:

8:00 A. M., Chicago and Northern Express, with drawing-room cars through to Rochester and St. Albans.

10:30 A. M., special Chicago Express, with drawing-room cars to Rochester and Buffalo.

11:00 A. M., Northern and Western Express.

4:00 P. M., Montreal Express, with sleeping cars from New-York to St. Albans.

4:00 P. M., Express, daily, with sleeping cars for Watertown and Canandaigua.

8:00 P. M., Pacific Express, daily, with sleeping cars for Rochester, Suffalo, and Niagara Falls; also for Chicago, via both L. S. and M. C. Railroads.

11:00 P. M., Express, with sleeping cars for Troy and Albany. Way trains as per Local Time Table.

C. H. KENDRICK, General Passenger Agent.

### NEW-YORK, NEW-HAVEN AND HARTFORD RAILROAD.

After Nov. 30, 1874, trains leave Grand Central Depot (42d st.,) for New-Canaan Railroad at 8:05 A. M., 1:00 and 4:38 P. M.; Danbury and Norwalk Railroad at 8:05 A. M., 3:00 and 5:38 P. M.; Naugatuck Railroad at 8:05 A. M. and 3 P. M.; Housatonic Railroad at 8:05 A. M. and 3 P. M.; New-Haven and Northampton Railroad at 8:05 A. M. and 3 P. M.; For Newport at 8:05 A. M. and 1 P. M.; Boston and Albany Railroad at 8:05 and 10 A. M., 3 and 8:10 P. M., (7 P. M. on Sunday;) Boston (via Shore Line) at 1 and 9:10 P. M., (9:10 P. M. on Sundays.)

Way trains as per local time tables.

J. T. MOODY, Superintendent New-York Division.
E. M. REED, Vice President New-York.

### WICKFORD RAILROAD ROUTE TO NEWport, R. I.—Passengers for this line take 8:05 A. M. and 1 P. M. express trains from Grand Central Depot, arriving at 4:20 and 8:20 P. M.

THEODORE WARREN, Supt.

## STEAM-BOATS.

FOR SALE—STEAM-BOAT D. R. MARTIN, NOW AT pier foot of 7th st., East River. For particulars, apply to THOMAS F. YOUNGS, No. 41 South st., or to S. LIVINGTON, No. 216 Front st.

FOR NEW-HAVEN, HARTFORD, &c.—Steamers leave Peck slip for New-Haven at 3 P. M. Trains North and East at 11 P. M.

FOR BRIDGEPORT AND ALL POINTS ON Housatonic and Naugatuck Railroad.—Fare, $1. Steamers leave Catharine-slip at 11:30 A. M.

## EXCURSIONS.

STEAM-BOATS AND BARGES FOR EXCURsions to Raritan Beach, Sea View, Iona Island, and other groves. MARTIN & KOSKELL, No. 111 South st.

## AUCTION SALES.

### ART SALE.

BY ORDER OF THE EXECUTOR OF THE LATE VALENTINE MOTT, M. D.,
ROBERT SOMERVILLE will offer for sale, at his gallery, No. 82 Fifth av.,
THE CELEBRATED PAINTING OF THE "MAGDALEN," BY GUIDO RENI.

Together with a large collection of ancient and modern paintings. Also several pictures by Oregon Wilson, deceased.

Sale will take place on
TUESDAY and WEDNESDAY EVENINGS, Feb. 9 and 10, at 8 o'clock.
Free exhibition now open day and evening.

EDWARD SCHENCK, Auctioneer.

### ASTOR HOUSE, ASTOR HOUSE, ASTOR HOUSE.

The entire furniture and effects of this well-known Hotel, comprising over 400 rooms. Also all the table and bed linen, and the entire furniture of the cafe and restaurant, together with their valuable stock of Brandies, Wines, &c., and everything appertaining to a first-class hotel, by Edward Schenck, commencing on MONDAY, Feb. 8, at 10 o'clock A. M., and continuing (daily until 3 o'clock P. M.) each day until the entire effects are sold. The furniture and bedding are first-class and in fine order, having been refurnished in the last two years. Purchasers must remove their goods after each day's sale.

AUCTION NOTICE.—WILLIAM TOPPING & CO., Auctioneers, will sell at their spacious rooms, No. 122 Church st., on FRIDAY, Feb. 5, at 10:30 o'clock, the stock of Hosiery and Dry Goods belonging to the estate of Messrs. HELLER BROS.

WILLIAM C. CONNER, Sheriff.
By order of BERNARD MAGUIRE, Deputy Sheriff.
NEW-YORK, Jan. 25, 1875.

## SAUCES.

### TRADE-MARK

## WORCESTERSHIRE SAUCE.

### LEA & PERRINS'

CELEBRATED

PRONOUNCED BY CONNOISSEURS TO BE THE "ONLY GOOD SAUCE," And applicable to EVERY VARIETY OF DISH.

EXTRACT of a LETTER from a MEDICAL GENTLEMAN at Madras to his brother at WORCESTER, May, 1851.

"Tell LEA & PERRINS that their Sauce is highly esteemed in India, and is, in my opinion, the most palatable as well as the most wholesome Sauce that is made."

## Worcestershire Sauce.

Sold Wholesale and for Exportation by the Proprietors, LEA & PERRINS, Worcester, England; and Retail by Dealers in Sauces generally throughout the world.

ASK FOR LEA & PERRINS' SAUCE.

At the BREAKFAST TABLE it imparts the most exquisite relish and zest to Hot or Cold Meat, Fowl, Fish, Broiled Kidney, &c.

At the DINNER TABLE, in Soup, with Fish, Hot Joints, Game, and in all Gravies, it gives a delightful flavor.

At the LUNCHEON AND SUPPER TABLES it is deemed indispensable by those familiar with its estimable qualities.

*From New-York Times.*

There is no relish in the world which is so universally liked as Lea & Perrins' famous Worcestershire Sauce.

JOHN DUNCAN'S SONS,
NEW-YORK.

## LECTURES.

COOPER UNION FREE LECTURE FOR THE People in the Great Hall at 8 o'clock.
SATURDAY, Feb. 6,
the lecture will be delivered by
Prof. GEORGE L. GOODALE, of Harvard College,
ON FLOWERS AND FRUIT.

Tickets can be had gratis at the office of the Cooper Union, and at the book stores of Appleton, Union square, and D. Van Nostrand, No. 23 Murray st.

ABRAM S. HEWITT, Secretary.

## NEW PUBLICATIONS.

### THE GREAT MYSTERIOUS BOOK,

For which £1,000 was offered, and $5,000 could not buy, will be out in a few days.
THE PRIVATE LIFE OF A KING,
SUPPRESSED MEMOIRS OF THE PRINCE OF WALES, afterward GEORGE IV., of England.
Now first published. (Copyright edition.)
By JOHN BANVARD, Artist.

Drawn from the secret archives of the Chartists, and authentic documents in the British Museum, 1875.
600 pages. 12mo. Price $2 50.

For sale at all book stores. Orders addressed to RUSSELL BROTHERS, No. 17 Rose st., New-York, will receive prompt attention.

## INSTRUCTION.

### SCHOOL OF VOCAL ART.

A School for the Education of Teachers and Artists will open on the 1st of January, 1875.

Principal, Mrs. E. SEILER, author of "Voice in Singing," and "Voice in Speaking."

Circulars giving full information, at music stores, or sent by mail upon application to ACTUARY, No. 903 Clinton st., Philadelphia.

POUGHKEEPSIE MILITARY INSTITUTE begins the second half-year on Feb. 1, 1875; vacancies will then occur in a few warm and pleasant rooms. For Catalogue or information, address
H. S. JEWETT, A. M., Principal.

MAPLEWOOD YOUNG LADIES' INSTITUTE, Pittsfield, Mass., Rev. C. V. SPEAR, Principal. Sixty-eighth semi-annual term opens Feb. 16, 1875. Facilities and location widely known.

COTTAGE HILL, TARRYTOWN, N. Y.—Rev. and Mrs. George Lane educate twenty young ladies in the most thorough manner; French spoken; home culture.

MRS. M. S. PARKS' BOARDING AND DAY School for young ladies, No. 13 Livingston av., New-Brunswick, N. J., will open its next term Feb. 1. Pupils charged from time of entrance.

A FAMILY HAVING CHILDREN TO EDUcate can find a pleasant home and thorough instruction at Miss H. M. PARKHURST'S Home School, Newburg, N. Y.

IRVING'S SCHOOL OF ART.—N. Y. SOCIETY Library, 67 University place. Drawing, water color and oil painting. Evening classes Wednesdays and Saturdays.

CHARLIER INSTITUTE, NO. 108 WEST 59TH st.—Boarding and Day School; special preparation for college; new and splendid building.

DREW LADIES' SEMINARY, CARMEL, N.Y.—The Spring Session of nineteen weeks opens Feb. 17. Send for circulars to the Principal, REV. D. C. SMITH, A. M.

MRS. J. T. BENED CT'S BOARDING AND DAY School for young ladies and children, reopened Oct. 1, at No. 7 East 42d st.

HOME INSTITUTE, TARRYTOWN, N. Y.—FOR Young Ladies and Children. Combining home care and a thorough course of study. Miss M. W. METCALF.

ANTHON GRAMMAR SCHOOL, NO. 202 Madison av., 9:30 A. M. to 2:30 P. M.

CLAVERACK College and Hudson River Institute, Claverack, N. Y. 20 instructors. ALONZO FLACK Ph. D., Pres.

HOME FOR CHILDREN. ADDRESS HOME, Stratford, Conn.

PEEKSKILL (N. Y.) MILITARY ACADEMY. —New building and gymnasium. $400 per annum.

## COPARTNERSHIP NOTICES.

HILL, SCOTT & CO.,
BANKERS AND BROKERS,
No. 37 Wall st., New-York, No. 64 Devonshire st., Boston.

THE COPARTNERSHIP HERETOFORE EXisting under the style of Hill, Scott & Co. expires this day, by limitation. Either partner will sign in liquidation. GEORGE H. B. HILL,
JOSEPH R. SCOTT,
CHARLES HEAD.

The undersigned have this day formed a copartnership for the transaction of a general banking and brokerage business, under the style of
HILL, HEAD & CO.,
at No. 37 Wall st., New-York, and at No. 62 Devonshire st., Boston.
GEORGE H. B. HILL,
CHARLES HEAD,
S. ELIOT GUILD.

Feb. 1, 1875.

### DISSOLUTION OF PARTNERSHIP.

Notice is hereby given that the copartnership heretofore existing between the subscribers, under the firm name of J. B. SPELMAN & SONS, has this day expired by limitation. J. B. SPELMAN.
T. M. SPELMAN.
W. C. SPELMAN.

NEW-YORK, Jan. 31, 1875.

The undersigned have this day formed a copartnership to continue the business of importing and jobbing fancy goods, under the firm name of SPELMAN BROTHERS. T. M. SPELMAN,
W. C. SPELMAN.

No. 369 BROADWAY, NEW-YORK, Feb. 1, 1875.

COPARTNERSHIP NOTICE.—THE UNDERsigned have this day formed a copartnership for the transaction of a general fancy goods business under the firm name of HASTINGS, BOSWORTH & CO., at No. 57 Walker st., New-York. EDWARD A. HASTINGS,
DAVID C. BOSWORTH,
PAUL W. CROOKS.

NEW-YORK, Feb. 1, 1875. J. HENRY HOFFMAN.

### DISSOLUTION.

The copartnership heretofore existing under the firm name of GREASON, HOLMES & CO., manufacturing jewelers, is this day dissolved by limitation. Mr. J. W. ROWE, Attorney, is alone authorized to sign in liquidation. JOHN R. GREASON,
JAMES S. HOLMES,

No. 21 JOHN ST., Feb. 1, 1875. } J. W. ROWE, Attorney.
GEORGE H. TIGHT, Attorney.

The business of the old firm will be continued as heretofore by Mr. J. R. GREASON, at No. 21 John st.

## ELECTIONS.

AMERICAN INSTITUTE.—THE ANNUAL ELECtion for officers and committees of this institute will be held at its rooms, in the Cooper Building, on THURSDAY, the 11th day of February. The polls will be opened at 3 o'clock, and closed at 8 o'clock P. M.

CHARLES MCK. LESER, Recording Secretary.

## PROPOSALS.

SEALED PROPOSALS FOR MAKING REpairs to Steam Dredge No. 2, will be received at the office of the Department of Docks until 12 o'clock M. of THURSDAY, 11th February, 1875.

For full information see the *City Record*. Copies for sale at No. 2 City Hall.

PROPOSALS FOR SUGAR.—DEPARTMENT of Public Charities and Correction until Feb. 16, 1875. See *City Record*.

## LOST AND FOUND.

LOST.—ON THURSDAY AFTERNOON, FEB. 4, BEtween 32d and 33d sts., A BLACK PORTEMONNAIE, (with owner's name inside,) containing a sum of money and visiting cards. Five dollars reward will be paid for its return to No. 154 Madison av.

STRAYED AWAY.—ON MONDAY EVENING, A Silver-gray Skye terrier. Any person returning the same to No. 14 West 23d st. will be suitably rewarded.

## HORSES AND CARRIAGES.

THE NEW UP-TOWN OFFICE OF THE TIMES.

THE TIMES has established a new Up-town Branch Office for the sale of papers, the reception of advertisements and subscriptions, and the transaction of any business in connection with the paper. It is located at

No. 1,257 Broadway, between 31st and 32d sts.,

and is open daily, Sundays included, from 4 A. M. to 9 P. M.

HARNESS, SLEIGH-BELLS, AND HORSEblankets, large stock, great variety, and the lowest possible prices. E. BARTLETT, No. 62 Warren st., corner College place.

## BOARDING AND LODGING.

THE NEW UP-TOWN OFFICE OF THE TIMES.

THE TIMES has established a new Up-town Branch Office for the sale of papers, the reception of advertisements and subscriptions, and the transaction of any business in connection with the paper. It is located at

No. 1,257 Broadway, between 31st and 32d sts.,

and is open daily, Sundays included, from 4 A. M. to 9 P. M.

NO. 107 WEST 38TH ST.—TO LET, WITH board, newly furnished parlor and bedroom; large closets, grate fire, table first-class; for gentleman and wife; terms very moderate.

SECOND FLOOR BACK PARLOR, WITH bdgs. fire, and use of bath-room to let, with board, to two gentlemen or gentleman and wife; terms moderate. Call or address No. 63 West 9th st.

A PRIVATE FAMILY WOULD LET ONE or two nicely-furnished rooms to gentlemen, without board; modern improvements. Apply at No. 143 West 46th st.

FIFTH AV., BETWEEN 11TH AND 12TH STS.—A very desirable suite of apartments on parlor floor, with private table on moderate terms, in the pleasantly-located house, No. 45 5th av.

FURNISHED ROOMS.—NEWLY-FURNISHED rooms, with hot and cold water, to let to gentlemen, without board; references exchanged. No. 37 East 19th st., between Broadway and 4th av.

FIFTH AV., NO. 208, OPPOSITE MADISON Park.—Parlor and bedroom, handsomely furnished, private bath, &c., with first-class board; table board for two.

TO LET.—IN A PRIVATE FAMILY, A LARGE front square room, furnished, southern exposure, near Madison av.; breakfast if desired. No. 23 East 24th st.

NINTH ST., NO. 56, BETWEEN BROADWAY and University place.—Sitting-room, with bedroom; also, front parlor and single room; newly furnished; house neatly kept; no moving in May.

TO LET—AT NO. 54 EAST 9TH ST., NEAR BROADway, reception-room and bedroom adjoining, suitable for a physician's office; private entrance, hot and cold water; references exchanged.

FORTY-FIFTH ST., NEAR 5TH AV.—LARGE and handsome front room, with every exposure, will be rented with board. Apply at Everett Library, No. 588 6th av.

NO. 355 WEST 31ST ST.—LARGE, COMfortably-furnished rooms to families or single gentlemen; good table; convenient to Elevated Railroad; terms low.

NO. 17 WEST 37TH ST.—A LARGE ROOM TO let, with board, to gentlemen; best references given and required.

NO. 9 WEST 21ST ST., NEAR 5TH AV.—Handsomely-furnished front rooms, on third and fourth floors, with first-class board; references.

NO. 57 WEST 38TH ST.—DESIRABLE SUITE of rooms, first and second doors; private table if desired; references exchanged.

TO LET—A HALL ROOM, FRONT, ON SECOND floor, without board, to a single gentleman, in the private family, No. 111 West 12th st.

NO. 3 WEST 30TH ST., FIRST HOUSE WEST of 5th av.—Two or three pleasant rooms for gentlemen, with or without board; references exchanged.

NO. 35 WEST 37TH ST., BETWEEN 5TH AND 6TH AVS.—Desirable rooms to let, with or without private table; also, rooms for single gentlemen.

NO. 33 W

# THE CHARITY BALL.

## THE ACADEMY BRILLIANT WITH FASHION.

CROWNING SOCIAL EVENT OF THE YEAR—THE GUESTS AND SOME OF THE MARKED TOILETS—NO FALLING OFF FROM FORMER YEARS—SIMPLE DECORATIONS, A JOYOUS COMPANY, AND LARGE RECEIPTS.

It would seem to be almost unnecessary to refer in terms of approbation to the noble services performed by the managers of the New-York Nursery and Child's Hospital, for the benefit of which the annual charity ball was held last night at the Academy of Music, were it not that the public forget too often the immense amount of labor involved in the successful management of such an institution. Among the many valuable charitable institutions in this charitable City it is fair to say, none have rendered more timely aid to helpless humanity, and commended itself more to the support of the community, than the Nursery and Child's Hospital. When it is borne in mind that by its praiseworthy exertions thousands of helpless little waifs have been saved from destitution or a fate worse than death itself, and reared up to become useful members of society, it cannot be denied that the institution is eminently deserving of commendation and support. The list of officers and patrons contains the names of ladies and gentlemen who constitute the best society in New-York, and furnish in themselves a guarantee that the affairs of any institution with which they are connected cannot be otherwise than righteously administered. One of the principal sources of income of the institution alluded to is the annual ball at the Academy of Music, known as the "Charity Ball." For years this great fashionable reunion has been accorded the coveted position of the leading social event of the season, and it certainly is entitled to this distinction. Fashionable New-York claims the "Charity Ball" for its own, and shows by the manner in which it patronizes the event that its pretensions are practically supported. On no occasion does fashion so commend itself to the admiration of the community as when it steps down from its habitual elevation, and consents to display itself, for the time being at least, in order to give tone to and minister to the success of an enterprise undertaken in the cause of charity. In this respect it cannot be said that what is known as "society" in New-York, shows a disposition to be backward. No sooner is an appeal made to the sympathies of the fashionable portion of the community in behalf of the poor, or sick, or destitute, than it is responded to with a vigor and promptitude oftentimes involving very great labor, which might well be emulated by less favored members of the human brotherhood.

The twentieth Charity Ball, last night, forms no exception to this rule. The affair was unquestionably the social event of the season, and fully equaled, if indeed it did not excel, its predecessors in elegance and numbers. Of course, the élite of New-York was there. For months past preparations had been made for celebrating the event with becoming splendor. Magnificent new toilets had been specially imported from Paris and London, and the resources of our native *modistes* had been taxed to the utmost to produce costumes worthy of the occasion; and in this connection it may not be amiss to state that the productions of the latter did not suffer by comparison. As a result of all this preparation and outlay, the floor of the Academy last night presented a scene of wealth, elegance, and fashion never surpassed in this City. Were we permitted to indulge in the extravagant language of a contemporary not remarkable for its truthfulness in chronicling public events we should, no doubt, measure the real laces exhibited by hundred of miles, weigh the diamonds by tons, and estimate the extent of silks and velvets by oceans. It is, however, sufficient to say that the fashionable element disported itself in the usual glitter of gold and diamonds, rustle of silks, perfume of flowers, and strains of music, once more proving the fact—which would seem to be forgotten by the shoddyites of New-York—that elegance and breeding can display its treasures without descending to vulgarity. The company included the leading members of fashionable society in New-York—ladies and gentlemen who are never seen on the floor of a public ball-room, except at the "Charity Ball," when they unfailingly attend and induce their friends to attend, in order that dollars by the thousand may flow into the treasury of a deserving institution.

### THE COMPANY.

Among those present were Hon. Thomas Murphy and Mrs. Murphy, Mr. A. T. Stewart and Mrs. Stewart, Judge Hilton, Mr. Kneeland and Miss Nellie Church, Mr. Alonzo Gale, Hon. Chauncey M. Depew and Mrs. Depew, Recorder J. K. Hackett and Miss Hackett, Mrs. Paran Stevens, Mr. John Sherwood and Mrs. Sherwood, District Attorney B. K. Phelps, Mrs. Phelps, and Mrs. Dudley K. Phelps; Mrs. Leech and Miss Leech, of Philadelphia; Mr. Algernon S. Sullivan and Mrs. Sullivan; Mr. Cornwallis and the Misses Pike; Hon. A. Oakey Hall and Miss Cora Hall; Mr. W. H. Webb and Mrs. Webb; Capt. L. C. Bruce and Mrs. Earle; Mr. William Morrell and Mrs. Morrell, the Misses Cleveland and Mr. G. D. Bainbridge, Gen. Chester A. Arthur, Mr. and Mrs. Tappen, Miss Bladenburg and Mr. Bladenburg, Mr. Clarence Seward and Miss Seward, Judge Green and Mrs. Green, Mrs. Sherwood, Miss Smith, Mrs. Dubois, Miss Hewitt, Mrs. Cooper, D. Kingsland, Mrs. Gilbert, Mrs. Hoey, Mrs. Adams and Mrs. Kolecker, Mrs. Del Monte, Mr. Adams, Mrs. Careggio, Mrs. Alfonso, Mr. and Mrs. Schuyler, Mr. W. R. Johns, Mr. J. H. Harbeck, Mr. Dion Boucicault and Mrs. Soule, Mr. Charles Backus, Mr. Albert Bogs, Dr. Lewis Sayre and Miss Sayre, Mr. Charles Sayre, Mr. Louis Sayre, Assistant District Attorney Nolan, Hon. August Belmont, Mr. Theodore Moss, Mrs. Moss and Miss Moss, Mayor William H. Wickham, Mr. W. H Tilford and Miss Barton, Mr. Arthur Leary.

### THE TOILETS.

The toilets of the ladies were fully up to the standard of past years in point of costliness and elegance. The display of diamonds and other precious stones as ornaments was dazzling. Flowers and a wealth of laces of the most valuable description were, almost without exception, the trimmings used, and high-necked and *decolletté* corsages were about equally in favor. Many ladies had their hair powdered. Among the most notable costumes were the following, which will serve as a type of the rest:

Mrs. John Sherwood wore a bodice and tunic of cafe au lait colored silk, trimmed with broad fluted folds of pink silk, and broad pink silk insertions with fluted tulle edges; skirt of pearl-colored brocaded silk, trimmed with pink. The corsage was open in front, with demi-sleeves and long train. Wreath of pink flowers across the front of the coiffure. Ornaments, immense diamonds.

Mrs. Ware wore a black velvet robe, cut square decollete in front, and with short sleeves edged with point aguille lace. Ornaments, diamonds.

Mrs. Algernon S. Sullivan wore a white silk dress, elaborately puffed, and flounced and trimmed with narrow Brussels lace. The corsage was high in the back, with wide demi-sleeves. Lace bertha. Ornaments, diamonds.

Mrs. Bigelow wore a dark blue satin decollete, with short sleeves, double sash, and long plain train; trimmings of point applique lace. Ornaments, pearl ear-rings and diamond necklace, with large diamond medallion.

Mrs. Demas Barnes wore a white silk, trimmed with long black-edged tabs of the stuff and black bows; corsage high, and coat sleeves; diamond ornaments.

Mrs. Benjamin K. Phelps wore a superb light blue silk, very bouffant, and trimmed with corn-colored silk; sash and long tabs of the latter color, edged with self-col red fringe and roses; corsage high, with wide demi-sleeves; diamond ornaments.

Miss Nellie Church, daughter of Hon. Sanford E. Church, wore a pale pink gros grain silk, with apron of white tulle, studded with Marguerites; ornaments, diamonds, bouquet of Boston rosebuds; hair puffed and powdered.

Miss Hattie Leland wore a rose-colored silk, à la Watteau, point lace trimmings, pearl ornaments, bouquet of rosebuds, hair in curls, with natural flowers.

Miss Abbie Leland, suit sea-foam silk, elaborately trimmed with wreaths of trailing roses; ornaments, emeralds; hair in puffs.

A white silk, cut high in the back, and with pointed opening in front, was trimmed with broad bands of blue silk, upon which were arranged festoons of tiny white flowers. Above these were deep flounces of point aiguille lace. The back of the skirt was arranged in bouffant puffs, each terminated by a deep fold of the lace. Ornaments, Etruscan gold.

A rather odd effect was produced by a perfect apron formed of two festoons of roses with colored grasses on the front of a black moire antique. A festoon of the same flowers swept in a long festoon behind. The corsage was cut square, decollette. Diamond necklace and ear-rings.

A light green silk, cut decollete and with short sleeves, was almost completely covered with point applique lace, a narrow flounce and a very deep flounce alternating. Each was caught up here and there with a single blush rose. Pearl necklace and large solitaire diamond ear-rings.

A pink silk skirt, composed of ruffles and flounces, and a high sleeveless bodice of blue silk, looked odd. It was worn by a young lady. Her ornaments were of Byzantine gold.

An apple green silk, decollete, was almost hidden beneath deep flounces of Chantilly lace, held in position by long bows of green satin. Diamond ear-rings and necklace and large mosaic bracelets.

A white silk, with a Brussels lace tunic and apron, the skirt trimmed with bows of black velvet, long black silk sash. Diamond ornaments.

An exquisite dress was of white satin, embroidered in colors and trimmed with broad plaited folds of the stuff lined with Solferino-colored satin, the corners of each plait being turned over so as to show the lining.

Another of white silk was also embroidered in colors on corsage and skirt, and the overskirt of white Swiss was similarly embroidered. This lady wore a spray of silver flowers, gold necklace, and diamond ear-rings.

An elegant black velvet robe, decollete and with short sleeves, was set off with a broad white silk sash fastened at intervals all the way down the bouffant back of the skirt. From the top of the corsage a fall of deep point aiguille lace reached the waist in front and rear. Ornaments, solitaire diamond ear-rings and large diamond medallion.

A rose colored silk, high necked and with long wide sleeves, was trimmed with small squares and buttons of black velvet; long broad black velvet sash edged with narrow point applique lace. Diamond and emerald ornaments.

A rich dress was composed of a bodice of solferino-colored velvet over a skirt of self-colored satin, made with horizontal tucks down the back of the skirt, each tab ending in a bow on either end; diamond jewelry.

A superb white silk was trimmed with long festoons of blush roses. The dress was made with a peasant waist, short sleeves, and perfectly plain except for the flowers. The wearer's ornaments were an Etruscan gold necklace, with diamond medallion and solitaire ear-rings. Her hair was powdered.

A white grenadine dress, composed of numerous folds and flounces, semi de-colleté, and with half sleeves, was edged with fluted folds of white silk, and was caught up with bunches and bows of white ribbon. Ornaments of pearls.

An ashes of roses colored silk was inserted with very wide bands of dark purple, velvet edged, with narrow white lace. The corsage was Elizabethan, with angel sleeves and bouffant train.

A white silk had a scarlet velvet apron and trimmings of the same. A very attractive costume.

A magnificent dress was composed of a bodice and tunic, ending in a train of rose-colored satin, bordered with a broad band of white satin, heading a narrow row of Chantilly lace. The skirt was open in front, showing an underskirt of puffed white Swisse. The corsage was trimmed with natural flowers.

A white silk bodice, dotted with golden spangles, above a pink silk skirt, composed entirely of narrow flounces, edged with narrow point appique lace, attracted much attention.

A superb robe of black velvet was trimmed down the front of the skirt, with three narrow rows of white satin, alternating with a deep fall of white silk fringe. The corsage and sash were edged with the fringe, and the skirt was run here and there with the narrow white satin folds.

One of the most elaborate toilettes of the evening was worn by the wife of a well-known theatrical manager. It was of black satin embroidered all around with a border of large roses in natural colors, and was otherwise profusely trimmed with black satin, jet beads, and deep Brussels lace. Her ornaments were a necklace of large solitaire diamonds and a pair of large solitaire diamond ear-rings.

A corn-colored silk decollete and entrain, was remarkable for the originality and beauty of its floral trimmings. Down the back of the skirt, one above the other, were placed two large flat bouquets of white flowers. Vines of the same festooned the corsage and the front of the skirt. A tulle veil was thrown over all.

A dress of pearl-colored silk and a flowered white silk jacket, the whole trimmed with rich point applique lace, formed a very pretty combination.

A white silk, tied about with broad bands of black velvet, edged with rose-colored satin, was striking.

The continual intermingling of the brilliant colors displayed in the promenade and dance formed an ever-varying picture of bewildering beauty, and presented a scene of brilliancy and gayety seldom witnessed even on the floor of the Academy. The almost total absence of uniforms was a noticeable feature, and the conventional evening dress of the gentlemen was consequently not relieved by the presence of naval and military uniforms, which have on similar occasions served to heighten the general effect presented by the commingling of gorgeous costumes, and imparted a semi-military aspect to other reunions. The boxes were filled with gayly-attired occupants, rich in velvets and ermine, many of whom did not participate in the amusement on the floor, yet enjoyed themselves to the utmost in witnessing the enjoyment of others. As will be seen from the list of names, this portion of the company composed the regular *habitues* of the "Charity Ball," and this is quite sufficient indication of their standing in society. The appearance of the boxes as viewed from the floor was exceedingly brilliant. The rows of galleries rising tier above tier, and filled with richly attired ladies, displayed an ever-varying collection of colors, the whole forming an appropriate setting to the rich pictures presented on the floor. Nor was the scene from the boxes a less enlivening or a tractive one. The noble hall brilliantly lighted and appropriately decorated, filled with gay groups of graceful dancers, whose costumes blended and separated with kaleidoscopic rapidity presented a scene of rare beauty and animation. The spectator fixed his gaze on some one peculiarly attractive costume and attempted to follow the motions of its wearer in the giddy dance, but became dazzled in the collection of rich dresses and blazing diamonds which continually met his vision, and gave up the attempt in despair.

The decorations were of that well-known simplicity which usually characterizes charity balls—the projectors, with praiseworthy economy, preferring to net as large a profit as possible, rather than indulge in useless outlay. The paucity of decorations was entirely lost sight of in the splendid display of the splendor of costume which decorated the noble ball-room with a richness that could not be imparted by ordinary adornment. At the stage end of the hall a platform, with sitting accommodations for the lady managers of the institution, was erected. A few bouquets of flowers and a cologne fountain were the only luxuries supplied in this improvised boudoir. An additional cologne fountain was placed on the floor at either side, and a new scene representing the entrance to a noble park formed the background. The motto of the institution, the word "Charity" in gas illumination, was suspended in front of the stage, and formed a conspicuous feature in the decorations, which were completed by vases of natural flowers, roses, lilies, clematis, camellias, heliotropes, and trailing plants, placed at either side of the entrances to the floor.

The music was excellent—the promenade music being supplied by Grafulla's band, and the dance music by Lanier's orchestra, and the order of dancing choice and varied. Supper was supplied by Delmonico in his usual style, the tables being laid in Nilsson Hall. The various committees were indefatigable in their efforts to minister to the comfort of the guests, and are entitled to commendation for their success. Although the night was intensely cold, it was not cold enough to induce any of the usual participants at this ball to remain away, and the attendance was fully as large as in former years. In a word, the twentieth "Charity ball" was a grand success in every respect, and must have realized a handsome return for its projectors. The favor with which this annual reunion is looked upon in the higher ranks of the community, as evidenced in the magnificent scene presented at the Academy last night, is but another evidence of the noble acts which can be accomplished in the cause of suffering humanity by ladies and gentlemen of the best society, who generously proffer their time and influence "for sweet charity's sake."

At 9 o'clock the first of the company began to arrive, and by 10 they had become so numerous that the stream of carriages extended continuously along Irving place and through Fifteenth street. From that until midnight carriages continued to deposit their freights of richly-attired ball-goers on the steps of the Academy, amid the glare of calcium lights and the shouts of the Police officers.

### THE DANCING.

At 10 o'clock the overture was played, and was followed by selections from "Aida," during the performance of which the officers of the institution formed for the procession. At 10:15 the grand entree was made, to the music of one of Grafulla's spring marches, the promenade being led by Mr. Arthur Leary, President of the institution, accompanied by Mrs. Dubois; Mr. A. T. Stewart, one of the Vice Presidents, accompanied by Mrs. Stewart, followed, and next in order came the different officers, wearing white badges, followed by the general company. At the conclusion of the promenade sets were formed and the ball was opened by Mr. Arthur Leary, who danced with Mrs. Algernon S. Sullivan. Mr. Leary and his partner had Mrs. Edward Cooper and Mr. James Parker for a *vis-a-vis*, Mrs. Townsend and Mrs. Bigelow also dancing in the opening set. At the opening of the ball there were only seven sets on the floor, but during the performance of Plotow's beautiful "Ave Maria," which followed, the guests commenced to arrive in large numbers, and the boxes, as well as the seats fringing the floor, began to assume a more animated appearance. By the time the waltz which stood third on the programme was reached, the floor was comfortably filled with dancers, and at midnight the Academy was jammed to its utmost capacity—boxes, galleries, corridors, and floor presenting a scene of unusual life and gayety. The guests continued to throng the floor until long after midnight, when a slight decrease was perceptible in the number of dancers, but the festivities were kept up by the general company with unabated vigor until the programme had been performed.

### THE NATIONAL GRANGE.

CHARLESTON, S. C., Feb. 4.—The National Grange met again this morning. The proceedings, so far as made public, were limited to appointing committees and considering and accepting invitations to visit various places, and the convention then adjourned until 7 o'clock P. M.

## OBITUARY.

### SENATOR BUCKINGHAM, OF CONNECTICUT.

Ex-Governor and Senator William A. Buckingham died at his home in Norwich, Conn., about midnight last night. Gov. Buckingham approached the time of the assembling of Congress this Winter with a frame enfeebled by disease, and has been unable to take his seat in the Senate at any time during the session. The vigor of the physical man was broken, and he gradually failed until he sank beneath an attack of acute disease, leaving to his native State a name eminent for its spotless purity and sterling virtue.

William Alfred Buckingham was born on the 28th of May, 1804, in the quaint old town of Lebanon, eminent in Connecticut from its first settlement for the fervid patriotism and the intellectual activity of its people. The town is the birthplace of five gentlemen who have enjoyed Gubernatorial honors, viz.: Jonathan Trumbull, the old war Governor of the Revolution, whom, in many respects, Gov. Buckingham resembled to a remarkable degree; his son, Jonathan Trumbull; Gov. Bissell, of this State; Gov. Nelson Dewey, of Wisconsin, and the subject of this sketch. Inheriting the iron constitution and intense convictions of his Puritan ancestry, William A. Buckingham spent in this town a profitable youth, forming, upon the farm of his father, and in the schools of the vicinity, the strength of character and love of country that enabled him afterward to bring to the service of the State an exalted patriotism and devotion not surpassed in the history of our civil war. He was educated in the public schools of Lebanon and at the Bacon Academy, in the neighboring town of Colchester, which institution at that time stood higher than any other in the State, and even enjoyed a national reputation. Here Gov. Ellsworth, Chief Justice Waite, Hon. Henry M. Williams, Judge of the Supreme Court of Pennsylvania, and Lyman Trumbull, Senator from Illinois, were students, among a host of other youths who afterward were prominent in public life. Among associates of that stamp, and in a town identified with a thousand thrilling Revolutionary memories, William A. Buckingham rose to manhood. A special taste for mathematics, and the impulses of an energetic nature led him at first to desire the career of a practical surveyor. But neither that nor school-teaching, to which he devoted one year at Lynn, satisfied him. He went to Norwich at the age of twenty, and engaged in business. He entered the dry goods store of Giles & Hamblin Buckingham, then almost the only dry goods dealers in the city. After two years spent there and a year in a wholesale house of New-York City, he established himself as a dry goods merchant at Norwich. The enterprise, exact dealing, and spotless honor that have always distinguished him were manifested from the beginning of his first business essay, and continuted to his success. In 1830 he began the manufacture of ingrain carpets, and conducted it for eighteen years. In 1848 he discontinued all other forms of business effort, and engaged in the mabufacture of india-rubber goods in connection with Messrs. Hayward & Burr, under the name of the Hayward Rubber Company. In this business he amassed the generous fortune which he has so lavishly bestowed to aid public, educational, and charitable enterprises in the city of his residence, the State, and nation. At the time of his death he was a stockholder in six or eight manufacturing enterprises, to all of which he gave more or less of his time and attention. The characteristic feature of his long industrial and mercantile life was not so much the executive ability he displayed, for that is a trait which hundreds of New-England manufacturers possess in an equal if not superior degree.

But it was the infallible keeping of his business engagements, his genius for managing men, and ability to awaken enthusiasm in his service. It is told of him in illustration of his punctuality in business, that during a period of active effort of forty years duration, only two of his notes were protested for non-payment, and those only through his entire disability from sickness. The trait powerfully increased his usefulnes during the war.

William A. Buckingham adhered to the religion of his forefathers. Descended from the hardy old clergyman Thomas Buckingham, who aided in planting the colony of Sayorok, he was trained in a family of Puritans, and gave his life-long devotion to the cause of the Congregational Church. In 1838 he made a report to the Second Congregational Church of Norwich, which resulted, four years later, in the formation of the present Broadway Church. He gave the new church an organ and built a chapel for one of its Sunday-schools. In 1855 he was Moderator of the National Congregational Council in Boston. In 1856 he, with others, founded the Otis Library, of Norwich. he was proverbially liberal in his support to all such objects. Large benevolence, a desire to do something for the race and for the age, led him to bestow from his income large sums toward them. He gave $10,000 toward a free academy in Norwich in 1854, and on another occasion $25,000 to the Yale Divinity School, and a so permanent funds to two or three churches. All of his gifts were entirely devoid of ostentation.

Gov. Buckingham was always a decided politician. For many years his interest in affairs was only actively manifested in the management of party. Things were continually going wrong with the old Whig Party of Eastern Connecticut, and William A. Buckingham was almost always the man called in to set things right, which, in a quiet sort of way, by his personal influence, he had a magical faculty of doing. He declined several nominations to the State Assembly, but, like an eminent official whom he afterward met under peculiar circumstances, was often elected Alderman of the City of Norwich, and in 1849 and 1856 was twice elected Mayor for terms of two years each. In 1857, at the time of the election of President Buchanan, he was a Presidential Elector from Connecticut, with the honor of casting the vote of the State for the minority candidate—a common experience with the old Whig Party. In 1857, a number of gentlemen in Norwich resolved to propose him as the Republican candidate for Governor of the State. By the simple circumstance of the detention by snow of a train bearing fifteen or twenty delegates from Windham County, who would have voted for him, they failed to nominate him. There are those among his friends that now regard this as a providential occurrence. Had he been chosen in 1857, by the rule upon which the party acted then he would have been re-elected and then retired, without an opportunity of showing his singular fitness for the position of War Governor of Connecticut. But elected to the Chief Magistracy of the State in 1858, he was upon reelection brought so near to the marktrom of events attendant on the breaking out of the war, that public necessity compelled the State to continue him in office, and he made a distinguished record. At the close of 1860, Gov. Buckingham, who had been watching the drift of public events largely, announced the conviction that compromise with the South was an impossibility, and he required of the militia of the State their immediate perfection in discipline and equipment. In his capacity of Governor of a patriotic State, he suggested to the delegates of the State in the Peace Conference of February to be governed by a conciliatory spirit, but to "have special regard to measures which tend to maintain the dignity and authority of the Government." He never was a policy man, and there was something electrical in his fearless and uncompromising words that roused the State to enthusiasm. The right man was at the helm, and in the Spring canvass he was re-elected by the State by an increased majority. The call for troops awakened in Gov. Buckingham the spirit of a true soldier and the leader. The Legislature was not in session. No powers had been conferred upon him by law. With an energy and devotion worthy of the revolutionary patriots of Lebanon, he immediately resolved to pledge his own ample fortune to the work of raising Connecticut's quota of troops. His life of unsullied integrity and reputation for sound judgment here stood him in good stead. Hardly had he determined to apply for a loan of $50,000 from the old Thames Bank of Norwich, before that sum was tendered him by the Elm City Bank of New-Haven for use on his individual obligation. The Thames bank followed with $100,000; Hartford banks united to offer $500,000, and in a comparatively few days $1,000,000 had thus been placed at his personal disposal by the banking institutions of the State. His call for a regiment of men was immediately issued. While the State was aglow with excitement of enlisting these men, Gov. Buckingham dispatched his son-in-law, Gen. Aiken, to Washington, to make his way through all obstructions at whatever hazards, and pledge to President Lincoln the last man and last dollar of Connecticut. Gen. Aiken had a great deal of difficulty in accomplishing his mission, but did succeed at length, and brought to the Government the first tidings received during that perilous first week of the rising of the North. The first regiment of Connecticut Volunteers was raised in four days. In six days a second regiment was enlisted, and in three weeks a third regiment was raised and in camp, and Connecticut had tendered fifty-four companies to the defense of Washington, or five times the quota of the State. These achievements were due to the personal power and promptitude of Gov. Buckingham, more than to any other one thing. May 3, the Legislature ratified all that the Governor had done, and assumed all obligations for raising the troops. Whatever may have been the motives or influences that impelled men of great eminence at Washington to announce their belief in a termination of the war in "sixty days," Gov. Buckingham did not share them. He perceived the magnitude of the rebellion clearly, and was emphatic in his statements that the sixty-day doctrine immensely underestimated the importance of the crisis. In June he wrote to Mr. Lincoln, urging that steps be taken to raise an army of 300,000 men. "Let legislation on every other subject," he said, "be regarded as out of time and place, and the one great object of suppressing the rebellion be pursued by the Administration with vigor and firmness." Gov. Buckingham fully believed that more men would be immediately required, and he lent every capability of mind and soul to the matter of awakening the State and the Government to the fact. Ex-Gov. Seymour and William W. Eaton were carrying on a vigorous fire in the rear, at this time and agitating strenuously for peace. In spite of their efforts, the State remained loyal to Gov. Buckingham and the Union, and it shows the effect of his teachings on the popular heart of Connecticut, that, in October, the Legislature convened in special session and gave him *carte blanche* to act in the matter of raising troops. Two million dollars were raised, in addition to the $2,000,000 already provided for, and were placed at the unrestricted disposal of Gov. Buckingham. It was a proof of confidence in his judgment and patriotism, which the records of the imperial States of the Union will be searched in vain to surpass.

Gov. Buckingham was re-elected to the Chief Magistracy of the State seven times, serving for a period of eight years. Throughout the war his course was marked by the same intrepid support of the Administration that distinguished its beginning. The calls of the Government were always more than faithfully honored. Every quota was more than filled, and a moral support was brought to the emancipation and other great measures of the war that the Administration thoroughly appreciated. No war Governor had greater influence at Washington. Anything that he wanted for the troops in the field was granted. When others failed, he succeeded, and the advantage to which he turned this fact in securing benefits for the troops, together with his well-known extensive private benefactions to soldiers at home, earned for him the title of "The Soldiers' Friend," a phrase which bore a world of meaning to those who knew him.

Gov. Buckingham's course at the time of Mr. Lincoln's assassination was fully illustrative of the man. From the date of his majority he had been an earnest advocate of the cause of temperance, and a few weeks prior to the assassination had electrified the nation by one of those sword-like thrusts at culpability in high places for which he was noted. In his proclamation of the annual Fast Day in Connecticut, issued March 15, he had recited among the causes for pain, that "the oath of fidelity to the Constitution and to high official duty has recently been taken with a stammering tongue, in the presence of, and to the reproach of, the American people." This keen rebuke to a national shame was announced throughout the country. Under the circumstance, almost any other man beside Gov. Buckingham would have hesitated to go immediately to Washington as he did, to convey to President Johnson the assurances of Connecticut's determination to yield him a royal support. This, however, was what Gov. Buckingham did at once. He left Norwich by the afternoon train of Saturday for the National Capital. A party was formed to escort him, and also to escort Senator Foster, of Norwich, who, by Mr. Lincoln's death, became Vice President of the United States. It was composed of Gen. Aiken, Cols. Osgood and Selden, Henry Bill, Major Day, Lorenzo Blackstone, Dr. Thurston, and Major J. B. Dennis. They reached Washington the following day, and immediately repaired to the presence of President Johnson, to whom Senator Foster introduced them. Gov. Buckingham grasped Mr. Johnson's hand warmly, and, with tears in his eyes, pledged to a President of the United States the unfaltering support of Connecticut, and was the first Governor in that crisis who did so. Mr. Johnson was greatly moved, and earnestly assured the Governor that whatever the past no one should surpass him in the future in purity of devotion to the Union.

In 1869 Gov. Buskingham took his seat in the Senate of the United States. The record of his connection with that body has been a creditable one. He was capable of an unlimited amount of hard work, and it was upon the various committees of the Senate that his influence was most felt. Throughout his term of eight years he has served upon the standing Committees on Commerce and Indian Relations, and twice served on special committees, once to investigate the affairs of the New-York Custom-house, and once to investigate the charges of bribery against Senator Pomeroy. He participated frequently in debate, and exerted a marked influence in nuancial and Indian questions by his candor, sound judgment, and graceful method of presentation of what he had to say. It is, however, as war Governor of Connecticut that he will be the longest and most widely known.

In his social life Gov. Buckingham was an attractive man. Whoever met him either in his elegant home in Norwich or in social circles at the State and National capitals, never failed to be won by his charming manner. He had all the dignity of the old school gentleman and the affability of the thorough-going Republican; and while he knew all the advantages securing to a public man from the possession of those traits, it has been well said of him that these qualities were the natural product of the man. He was of the best type of a Christian gentleman that society produces. And statesman, citizen, and soldier alike will cast upon the grave of William A. Buckingham not only the laurels due to distinguished public worth, but the flowers of affection and admiration for what he was as a man.

### SAMUEL F. HERSEY.

Hon. Samuel F. Hersey, member of Congress from the Fourth Maine District, and member elect of the Forty-fourth Congress, died Wednesday evening at his residence in Bangor, in his sixty-third year, after a long illness. Mr. Hersey was a merchant of Bangor, a man of wealth, and largely engaged in the lumber trade in Maine, Minnesota, and Wisconsin. He was born in Sumner, Me., April 12, 1812; received an academic education, and in subsequent years distinguished himself as a man of sound views, of unimpeachable integrity, and a good working Representative. He had long been prominent in the politics of Maine, being one of the pioneers of the Republican Party, and a steady advocate of its principles. He was a member of the Maine Legislature in 1842, of the Executive Council of the State in 1851 and 1852, and of the Legislature again in 1857, 1863, 1867, and 1869. He was a delegate to the National Republican Convention in 1860 and 1864, and during the war gave very liberally of his means in fitting regiments for the field. From 1864 to 1868 he was a member of the National Republican Committee. He was elected to the present Congress by a vote of 14,181 to 10,918 for his Democratic opponent. He made himself quite popular during the term, giving promise of much future usefulness, and last November was re-elected to Congress by a majority of 2,953 over Boynton, Democrat—the largest majority obtained by any member of the Maine delegation. His health failed him in the Fall of 1873, and since that time he has been bravely battling with a complication of diseases, which has proved fatal. He was a prominent member of the Universalist denomination, and was widely known and respected throughout the State and elsewhere. He leaves a widow and several children. He is the fourth member elect of the next House of Representatives who has died.

## THE SUIT AGAINST MR. DANA.

### THE JURY DISAGREE—EIGHT FOR THE DEFENDANT AND FOUR FOR THE PLAINTIFF—THEY ARE DISCHARGED.

The trial of the suit of William H. Kemble, Ex-Treasurer of the State of Pennsylvania, to recover the sum of $50,000 damages for an alleged libelous article that appeared in the New-York *Sun* on March 15, 1873, was resumed yesterday, before Judge Curtis, in the Superior Court. Further testimony was offered by the counsel for the plaintiff, and several witnesses were put on the stand with that object. Among them were Mayor Stokley, of Philadelphia; Mr. Charles. W. Brooke, of the New-York Bar, and Mr. J. L. Tobias. Mr. Joseph D. Ecclesine was then called as a witness. He testified that he went to Philadelphia and made a careful and thorough search among the newspaper offices in Philadelphia and failed to secure any trace of the original of the letter so often referred to during the trial. Mr. Peckham then offered to put in the sworn copy that had been produced in court as evidence. To this the counsel for the plaintiff objected, and a long argument ensued which ended in the exclusion of the paper. Other documents were then offered by both sides and excluded by the court, and Mr. Bartlett proceeded to sum up for the defense. In his argument Mr. Bartlett quoted the Constitution of the State of New-York in reference to freedom of speech on the part of every citizen, and referred particularly to the clause referring to the privileges of newspaper reporters and editors. In the course of his remarks he took occasion to refer to the course of several well-known editors, some of whom are now dead. In this connection he said: The great editors of New-York have been among the greatest men. Whatever faults the late Mr. Bennett may have had, they were trivial compared with the great work which he did in establishing a press independent of parties and of persons. He is in his grave now, but the generation will be far distant in the future which will forget that one great service which he rendered to mankind was the noble work which he performed in establishing the first free press, absolutely free, in the United States of America. I speak of him with deep feeling, because I knew him for many years intimately, and because I was, perhaps, the only person to whom he ever showed all of his private journals from the day he landed on this continent. I say that his rule of life was honorable. In his private life he was above reproach. So was Horace Greeley. So is Charles A. Dana, than whom no more accomplished man will live in our day to defend the rights of the citizens of this State and this country in a free press. Has he done no service? Was it not he who exposed the Credit Mobilier? Was it not he who has just brought to light the enormous fraud of $12,000,000 spent in bribing members of the National Legislature? Look at our neighbor across the way—that admirably conducted, that upright, straightforward, and manly journal, THE NEW-YORK TIMES. It is only justice to the noble profession of journalism to acknowledge that the condition of this City is made as good as it is to-day by the efforts of THE NEW-YORK TIMES and just such independent journals."

Mr. Wheeler H. Peckham closed the case for the plaintiff, and Judge Curtis then charged the jury at considerable length. They left the court-room at 4:30 P. M., and were sent for by the Judge at 9 o'clock, when the foreman said that, after long and earnest endeavor, they had found it impossible to come to any agreement, and therefore were discharged. It was afterward learned that the jury stood eight for the defendant and four for the plaintiff.

# CITY AND SUBURBAN NEWS.

## NEW-YORK.

The fifth annual reception of the M. Cregan Association will be held this evening at Irving Hall.

The Washington Social Club will hold its annual reception at Turner Hall, in East Fourth street, on Friday evening, the 12th inst.

A reunion of the graduates of the Senior Department of the Twelfth Street Female School will be held to-morrow afternoon at 2 o'clock.

Custom-house Inspector Peter Hagan seized yesterday 2,500 cigars and thirty-two bottles of brandy on the schooner John F. Griffin.

Patrolman McLaughlin, of the Thirty-fifth Precinct, was severely injured yesterday while riding on a railroad train between Spuyten Duyvil and Kings' Bridge.

The Liberal Republican General Committee held its regular monthly meeting last evening at No. 453 Fourth avenue. No business of public importance was transacted.

Yesterday's foreign mail consisted of 44,576 letters and 66 bags of papers, divided as follows: Holsatia, 41,184 letters and 62 bags; City of New-York, 3,083 letters and 4 bags; P. Caland, 309 letters.

The damage to the steam ferry-boat Westfield, in the collision with the Vindicator, is estimated at $2,000 by Capt. Braisted, Superintendent of the Vanderbilt Ferry. He also reports no one to blame.

On Tuesday next a meeting of the Central Booksellers' Association will be held at the St. Nicholas Hotel, upon which occasion the committee appointed to procure signatures to the constitution and by-laws will make its report.

The sum of $2 sent to this office by "Sympathizer" for the family of the Major, late of the Anglo-Indian Army, has been forwarded to the editor of the *Arcadian*, Nos. 168 and 170 Fulton street, who has kindly consented to take charge of all contributions.

The funeral of Mr. Charles Sutton, late janitor of the City Hall, took place yesterday from the Methodist Episcopal Church, Eighteenth street, near Eighth avenue. Messrs. Sheridan Shook, Edward Barker, William Gouge, and Jeremiah Pangborn were among the pall-bearers.

Owing to an error in the official report of the Normal College, which has since been corrected, the examination mark of Miss Marguerite Merington, of section B, of the fifth grade, was published in THE TIMES as being only 98²³ per cent., when it should have been 99 per cent.

Mr. William Wood, manager of the gymnasium of the Young Men's Christian Association, was yesterday presented with a handsome silver cup bearing the following inscription: "Presented to Mr. William Wood by a Few Friends at Y. M. C. A. Gymnasium, N. Y., Xmas, 1874."

The programme yesterday at Columbia College consisted of the oral examination of the Seniors in astronomy, the Juniors in Latin, the Sophomores in Roman history and Grecian antiquities, and the Freshmen in rhetoric and declamation. To-day will be devoted to examinations in chemistry, logic, Greek, and Latin.

The following gentlemen were elected to office for the ensuing year at the regular meeting of the Dauntless Boat Club: J. H. Halsey, President; W. Elger, Vice President; W. E. Halsey, Treasurer; H. Mullaney, Recording Secretary; John C. Guibert, Corresponding Secretary; Henry Peckwell, Captain; Charles Knapp, Lieutenant.

It turns out that the £1,000 book never existed, and that the title as advertised was made from the title pages of two works, one *Huish's Memoirs*, dated 1830; the other, styled *The Genuine Book*, printed in 1813. The offer was a mere advertising dodge to draw attention to a reprint already, or about to be issued.

As John Ruff, of No. 42 Oak street, was passing along Madison street on New Year's night, he was attacked by six men, knocked down, and robbed of $50. Andrew White, of No. 15 Oak street, was brought before Justice Smith, at the Tombs Police Court yesterday, and identified by Ruff as the man who knocked him down. White was held to answer in default of $1,500 bail.

William H. McKinley, the alleged fraudulent bankrupt, whose two "straw" sureties have been held for the Grand Jury, was remanded to the custody of United States Marshal Fiske pending the furnishing of new bail. Proceedings against McKinley have been begun in the State courts by his creditors to recover the value of the property he is alleged to have secreted.

## BROOKLYN.

Dr. Charles Corey has resigned his position of Supervising Physician at the Flatbush Asylum. Dr. Corey thinks that the office which he filled is no longer necessary for the welfare of the patients.

The inquest in the case of the four victims of the tenement-house fire which occurred at the corner of Hoyt and Pacific streets three weeks ago, was again adjourned yesterday for a week, owing to the continued sickness of the Fire Marshal.

Two Central Office detectives arrested yesterday afternoon Michael McHenry and William Cochrane, on a charge of knocking down and robbing Patrick Keilt, at the corner of Hudson avenue and Willoughby streets, on Monday night. The accused will be taken to court this morning.

No attempt to disguise the fact that salt is used in large quantities on the railway tracks in this city is made by the different companies. The Health Committee of the Board of Aldermen have the

# FINANCIAL AFFAIRS.

SALES AT THE STOCK EXCHANGE—FEB. 4.

SALES BEFORE THE CALL—10 A. M.

1400 Western Union. 74⅞ 800 Lake Shore..... 74⅝
25 do..... 74⅝ 2000 do..... 74½
3100 do.....s3. 74⅛ 700 do.....s3. 74½
500 do.....c. 74⅛ 300 do..... 74½
1200 do..... 74⅜ 300 do.....s3. 74⅝
1200 do..... 74¼ 500 do.....b3. 74¾
10 do..... 74 300 do..... 74⅝
200 do..... 74⅛ 100 do..... 74½
500 do..... 74⅝ 3800 do..... 74⅝
100 do..... 74¼ 1000 do.....s3. 74⅜
100 do..... 74⅛ 500 do..... 74⅜
400 do.....c. 74 100 North-west. Pf.... 60
600 do..... 74 300 North-western..... 45
1200 do..... 73⅞ 400 do..... 45¾
500 do.....s3. 73⅜ 300 do..... 45⅝
1100 do.....c. 73⅜ 200 do..... 45¾
30 Pk. of N. Amer.... 98 1300 do..... 45¾
100 Rock Island.....s3. 104½ 1800 do..... 45⅝
500 do..... 104⅝ 1000 do..... 45⅞
300 do..... 104⅝ 300 do..... 46
300 Erie Railway..... 28⅞ 300 do..... 45⅝
200 do..... 29 500 do..... 45⅝
200 Pacific Mail..... 35⅜ 300 do..... 45¾
900 do.....s3. 35⅞ 300 do..... 45¾
700 do.....s3. 36 100 St. Paul.....b3. 38
500 do..... 36 100 do.....s3. 38
200 do..... 36¼ 100 do..... 38
200 do.....s3. 36⅜ 100 do.....s3. 38
200 do..... 36 500 do..... 38⅛
600 do..... 35⅞ 100 do..... 38⅜
600 do..... 36¼ 700 do.....b3. 38½
1300 do..... 36⅜ 600 do..... 38⅝
200 do.....c. 74⅜ 50 Pittsburg..... 92½
600 do..... 74⅜ 100 Rock Island..... 104⅞
400 Erie..... 29 500 do..... 105
300 Lake Shore.....s3. 74⅛ 100 do..... 105⅛
700 do..... 74⅝ 3 0 St. Paul..... 38
900 do.....s3. 74⅝ 100 do..... 38⅛
200 do..... 74⅝ 100 Illinois Central..102¾
100 do.....s3. 74⅞ 100 St. Paul Pref.... 58½
600 do.....b3. 74⅜ 100 Toledo & Wash. 16⅞
100 do.....s3. 74⅝ 400 Ohio & Miss.. 29¼
600 do..... 74⅜ 200 do..... 29⅜
200 do..... 74⅜ 100 do..... 29¼
900 do.....s3. 74⅜ 100 C., C. & I. C.b3. 9

GOVERNMENT STOCKS—10:15 AND 11:30 A. M.

$6,000 U. S. 5-20 C. '65, new.....110¼
2,500 do.....c. 112
$7,000 U. S. 5-20 C. '67.....b.c. 120⅛
$9,000 U. S. 5-20 C. '67.....b.c. 120⅜
$5,000 U. S. 5-20 C. '62.....c. 112
1,000 U. S. 5-20 C. '65.....b.c. 119⅞

FIRST BOARD—10:30 A. M.

$3,000 N. Y. St. B. L. Reg.....100¾
2,000 Erie 6s. Fd A. b. c.....26
4,000 Mo. 6s, L'g. bs. b. c.....97¼
8,000 N. C. 6s, new, Reg. N.C.R.R.J.&A. 50
30,000 B., H. & E. 1st. 23
2,000 B.C.R. & M. 1st. 40
8,000 C. & N.W.C. C. G. bds.....b.c. 82
1,000 do.....b.c. 82⅜
1,000 C. & N. W. Con. 89¼
5,000 C., C. & I. 7s. 1st.....106
7,000 Peninsula 6s.... 90¼
40,000 C. & P. C. S. F. b. c.....103⅞
3,000 Erie 2d.....102
1,000 Long Dock bs. 102
1,000 H. & St. J. 8s, C. 83
3,000 Pac. 7s, guar. by St. of Mo...101
2,000 L. P. & M. 1st. 83¾
5,000 Mich. 8s. 2d..101¾
1,500 L. Sh. D. v. bs. 100½
4,000 N. Y. C. 6s, '83. 99¼
5,000 Ob. & Miss. 2d. 82
7,000 Cen. P. G. bds. 93
30,000 do. 7s, guar. by St. of Mo...101
2,000 L. P. & M. 1st. 83¾
5,000 Mich. 8s. 2d..101¾
1,500 L. Sh. D. v. bs. 100½
4,000 N. Y. C. 6s, '83. 99¼
5,000 Ob. & Miss. 2d. 82
7,000 Cen. P. G. bds. 93
30,000 do. 7s, guar. 97⅞
2,000 Cen. Pac. 1st, San Joa. Br. 86¾
2,000 West. Pac. 1st. 88
40,000 Un. Pac. 1st. 93⅞
20,000 Un. Pac. S. F. 83⅜
50,000 do. 83½
2,000 U. P. Ts. L. Gr. 93¼
9,000 do. 93
7,000 C. & I. C. 1st. b. c.....70
13,000 do.....70¼
13,000 Har. 1st. 7s, R., b. c.....110¼
1,000 Tol. & W. 1st.. 81
6,000 D. & W. C. C.. 40
9,000 Al. & S. 1st. con. 107
40,000 D., L. & W. C. 109¼
7 Amer. Ex. Bank. 118
10 Corn Ex. Bank.....126
65 Fourth Nat. Bank. 99
84 Bank of N. Y.....120
58 B'k of N. America. 98¼
30 do.....b.c. 98
25 D. & H. Canal.....110½
100 do.....b.c. 110⅜
20 do.....b.c. 110⅝
20 Consol. Coal. b. c. 42
100 do.....43
100 Mar. & Cin. 1st. 74
800 Spg. M. Coal. b. c. 6s
50 Al. & P. Tel. b. c. 25
50 Mich. Cen.....b.c. 78½
20 Ill. Central.....102⅜
1500 W. U. T. b. c.s3. 73
500 do.....73⅜
1000 do.....b3. 74
100 do.....74
600 do.....74
5 do.....74
1100 do.....74¼
900 do.....74⅜
100 do.....84 74⅜
100 do.....74⅜
400 do.....s5. 74⅜
600 do.....74⅜
400 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜

SECOND BOARD—1 P. M.

$1,000 N. J. C. 2d. b. c. 101¾
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 Cen. P. 1st. C. & O. Branch 85
3,000 C. & N. W. 1 on. Coup G bds. 82⅜
6,000 do. 82½
2,000 Chi. & M. 1st. 94¼
$3,000 L. S. Con. 2d. Coup.....b3. 92
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 H. & St. Jo. 8s. C. 83
5,000 Ohio & M. 2d. 82½
1,000 O. & M. Con. S. F. 92⅜
5 D. & H. Canal Co. 110
82 do.....b.c. 110¼
200 do.....110⅜
200 do.....110⅝
63 do.....110⅞
25 Wells-Fargo Ex.. 86
35 Amer. Ex.....b.c. 64
400 Erie Railway b. c. 29¼
100 do.....29
100 W. U. Tel.....b.c. 74⅛
1300 do.....74⅛
800 do.....s3. 74¼
200 do.....74¼
500 do.....74¼
100 do.....74¼
1000 do.....74⅜
100 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜
$3,000 L. S. Con. 2d. Coup.....b3. 92
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 H. & St. Jo. 8s. C. 83
5,000 Ohio & M. 2d. 82½
1,000 O. & M. Con. S. F. 92⅜
5 D. & H. Canal Co. 110
82 do.....b.c. 110¼
200 do.....110⅜
200 do.....110⅝
63 do.....110⅞
25 Wells-Fargo Ex.. 86
35 Amer. Ex.....b.c. 64
400 Erie Railway b. c. 29¼
100 do.....29
100 W. U. Tel.....b.c. 74⅛
1300 do.....74⅛
800 do.....s3. 74¼
200 do.....74¼
500 do.....74¼
100 do.....74¼
1000 do.....74⅜
100 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜

GOVERNMENT STOCKS—2 P. M.

$500 U. S. 5-20 C. '65.....120¼
1,000 U. S. 5-20 R., '65.....119
10,000 U. S. 5-20 C. '65.....120

SECOND BOARD—1 P. M.

$1,000 N. J. C. 2d. b. c. 101¾
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 Cen. P. 1st. C. & O. Branch 85
3,000 C. & N. W. 1 on. Coup G bds. 82⅜
6,000 do. 82½
2,000 Chi. & M. 1st. 94¼
$3,000 L. S. Con. 2d. Coup.....b3. 92
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 H. & St. Jo. 8s. C. 83
5,000 Ohio & M. 2d. 82½
1,000 O. & M. Con. S. F. 92⅜
5 D. & H. Canal Co. 110
82 do.....b.c. 110¼
200 do.....110⅜
200 do.....110⅝
63 do.....110⅞
25 Wells-Fargo Ex.. 86
35 Amer. Ex.....b.c. 64
400 Erie Railway b. c. 29¼
100 do.....29
100 W. U. Tel.....b.c. 74⅛
1300 do.....74⅛
800 do.....s3. 74¼
200 do.....74¼
500 do.....74¼
100 do.....74¼
1000 do.....74⅜
100 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜

SALES FROM 2:30 TO 3 P. M.

42 Del. & Hudson.....110⅜
100 Consol. Coal..... 42⅜
10 Erie Railway..... 28⅜
100 Western Union.....74⅜
300 do.....s3. 74¼
800 do.....b3. 74⅜
100 do..... 74⅜
100 do..... 74⅜
100 Pacific Mail..... 35⅝
200 do..... 35⅝
1600 do..... 35⅞
900 do..... 35⅞
100 do..... 35⅞
200 do..... 35⅞
400 Lake Shore.....s3. 74⅛
700 do..... 74⅜
300 do..... 74⅜
900 do.....s3. 74⅜
600 do.....b3. 74⅜
100 do..... 74⅜
800 do..... 74⅜
200 do..... 74⅜
900 do.....s3. 74⅜

GOVERNMENT STOCKS—2 P. M.

$500 U. S. 5-20 C. '65.....120¼
1,000 U. S. 5-20 R., '65.....119
10,000 U. S. 5-20 C. '67.....120

SECOND BOARD—1 P. M.

$1,000 N. J. C. 2d. b. c. 101¾
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 Cen. P. 1st. C. & O. Branch 85
3,000 C. & N. W. 1 on. Coup G bds. 82⅜
6,000 do. 82½
2,000 Chi. & M. 1st. 94¼
$3,000 L. S. Con. 2d. Coup.....b3. 92
5,000 West. Pac. 1st. C. & G. Branch 85
1,000 H. & St. Jo. 8s. C. 83
5,000 Ohio & M. 2d. 82½
1,000 O. & M. Con. S. F. 92⅜
5 D. & H. Canal Co. 110
82 do.....b.c. 110¼
200 do.....110⅜
200 do.....110⅝
63 do.....110⅞
25 Wells-Fargo Ex.. 86
35 Amer. Ex.....b.c. 64
400 Erie Railway b. c. 29¼
100 do.....29
100 W. U. Tel.....b.c. 74⅛
1300 do.....74⅛
800 do.....s3. 74¼
200 do.....74¼
500 do.....74¼
100 do.....74¼
1000 do.....74⅜
100 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜

60 Morris & Essex..... 95½

GOVERNMENT STOCKS—10:15 AND 11:30 A. M.

$6,000 U. S. 5-20 C. '65, new.....110¼
2,500 do.....112
$7,000 U. S. 5-20 C. '67.....b.c. 120⅛
$9,000 U. S. 5-20 C. '67.....b.c. 120⅜
$5,000 U. S. 5-20 C. '62.....c. 112
1,000 U. S. 5-20 C. '65.....b.c. 119⅞

FIRST BOARD—10:30 A. M.

$3,000 N. Y. St. B. L. Reg.....100¾
2,000 Erie 6s. Fd A. b. c.....26
4,000 Mo. 6s, L'g. bs. b. c.....97¼
8,000 N. C. 6s, new, Reg. N.C.R.R.J.&A. 50
30,000 B., H. & E. 1st. 23
2,000 B.C.R. & M. 1st. 40
8,000 C. & N.W.C. C. G. bds.....b.c. 82
1,000 do.....b.c. 82⅜
1,000 C. & N. W. Con. 89¼
5,000 C., C. & I. 7s. 1st.....106
7,000 Peninsula 6s.... 90¼
40,000 C. & P. C. S. F. b. c.....103⅞
3,000 Erie 2d.....102
1,000 Long Dock bs. 102
1,000 H. & St. J. 8s, C. 83
3,000 Pac. 7s, guar. by St. of Mo...101
2,000 L. P. & M. 1st. 83¾
5,000 Mich. 8s. 2d..101¾
1,500 L. Sh. D. v. bs. 100½
4,000 N. Y. C. 6s, '83. 99¼
5,000 Ob. & Miss. 2d. 82
7,000 Cen. P. G. bds. 93
30,000 do. 7s, guar. by St. of Mo...101
2,000 L. P. & M. 1st. 83¾
5,000 Mich. 8s. 2d..101¾
1,500 L. Sh. D. v. bs. 100½
4,000 N. Y. C. 6s, '83. 99¼
5,000 Ob. & Miss. 2d. 82
7,000 Cen. P. G. bds. 93
30,000 do. 7s, guar. 97⅞
2,000 Cen. Pac. 1st, San Joa. Br. 86¾
2,000 West. Pac. 1st. 88
40,000 Un. Pac. 1st. 93⅞
20,000 Un. Pac. S. F. 83⅜
50,000 do. 83½
2,000 U. P. Ts. L. Gr. 93¼
9,000 do. 93
7,000 C. & I. C. 1st. b. c.....70
13,000 do.....70¼
13,000 Har. 1st. 7s, R., b. c.....110¼
1,000 Tol. & W. 1st.. 81
6,000 D. & W. C. C.. 40
9,000 Al. & S. 1st. con. 107
40,000 D., L. & W. C. 109¼
7 Amer. Ex. Bank. 118
10 Corn Ex. Bank.....126
65 Fourth Nat. Bank. 99
84 Bank of N. Y.....120
58 B'k of N. America. 98¼
30 do.....b.c. 98
25 D. & H. Canal.....110½
100 do.....b.c. 110⅜
20 do.....b.c. 110⅝
20 Consol. Coal. b. c. 42
100 do.....43
100 Mar. & Cin. 1st. 74
800 Spg. M. Coal. b. c. 6s
50 Al. & P. Tel. b. c. 25
50 Mich. Cen.....b.c. 78½
20 Ill. Central.....102⅜
1500 W. U. T. b. c.s3. 73
500 do.....73⅜
1000 do.....b3. 74
100 do.....74
600 do.....74
5 do.....74
1100 do.....74¼
900 do.....74⅜
100 do.....84 74⅜
100 do.....74⅜
400 do.....s5. 74⅜
600 do.....74⅜
400 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜

60 Morris & Essex..... 95½

GOVERNMENT STOCKS—10:15 AND 11:30 A. M.

$6,000 U. S. 5-20 C. '65, new.....110¼
2,500 do.....112
$7,000 U. S. 5-20 C. '67.....b.c. 120⅛
$9,000 U. S. 5-20 C. '67.....b.c. 120⅜
$5,000 U. S. 5-20 C. '62.....c. 112
1,000 U. S. 5-20 C. '65.....b.c. 119⅞

FIRST BOARD—10:30 A. M.

$3,000 N. Y. St. B. L. Reg.....100¾
2,000 Erie 6s. Fd A. b. c.....26
4,000 Mo. 6s, L'g. bs. b. c.....97¼
8,000 N. C. 6s, new, Reg. N.C.R.R.J.&A. 50
30,000 B., H. & E. 1st. 23
2,000 B.C.R. & M. 1st. 40
8,000 C. & N.W.C. C. G. bds.....b.c. 82
1,000 do.....b.c. 82⅜
1,000 C. & N. W. Con. 89¼
5,000 C., C. & I. 7s. 1st.....106
7,000 Peninsula 6s.... 90¼
40,000 C. & P. C. S. F. b. c.....103⅞
3,000 Erie 2d.....102
1,000 Long Dock bs. 102
1,000 H. & St. J. 8s, C. 83
3,000 Pac. 7s, guar. by St. of Mo...101
2,000 L. P. & M. 1st. 83¾
5,000 Mich. 8s. 2d..101¾
1,500 L. Sh. D. v. bs. 100½
4,000 N. Y. C. 6s, '83. 99¼
5,000 Ob. & Miss. 2d. 82
7,000 Cen. P. G. bds. 93
30,000 do. 7s, guar. by St. of Mo...101
2,000 L. P. & M. 1st. 83¾
5,000 Mich. 8s. 2d..101¾
1,500 L. Sh. D. v. bs. 100½
4,000 N. Y. C. 6s, '83. 99¼
5,000 Ob. & Miss. 2d. 82
7,000 Cen. P. G. bds. 93
30,000 do. 7s, guar. 97⅞
2,000 Cen. Pac. 1st, San Joa. Br. 86¾
2,000 West. Pac. 1st. 88
40,000 Un. Pac. 1st. 93⅞
20,000 Un. Pac. S. F. 83⅜
50,000 do. 83½
2,000 U. P. Ts. L. Gr. 93¼
9,000 do. 93
7,000 C. & I. C. 1st. b. c.....70
13,000 do.....70¼
13,000 Har. 1st. 7s, R., b. c.....110¼
1,000 Tol. & W. 1st.. 81
6,000 D. & W. C. C.. 40
9,000 Al. & S. 1st. con. 107
40,000 D., L. & W. C. 109¼
7 Amer. Ex. Bank. 118
10 Corn Ex. Bank.....126
65 Fourth Nat. Bank. 99
84 Bank of N. Y.....120
58 B'k of N. America. 98¼
30 do.....b.c. 98
25 D. & H. Canal.....110½
100 do.....b.c. 110⅜
20 do.....b.c. 110⅝
20 Consol. Coal. b. c. 42
100 do.....43
100 Mar. & Cin. 1st. 74
800 Spg. M. Coal. b. c. 6s
50 Al. & P. Tel. b. c. 25
50 Mich. Cen.....b.c. 78½
20 Ill. Central.....102⅜
1500 W. U. T. b. c.s3. 73
500 do.....73⅜
1000 do.....b3. 74
100 do.....74
600 do.....74
5 do.....74
1100 do.....74¼
900 do.....74⅜
100 do.....84 74⅜
100 do.....74⅜
400 do.....s5. 74⅜
600 do.....74⅜
400 do.....74⅜
200 do.....74⅜
100 do.....74⅜
200 do.....74⅜
900 do.....s3. 74⅜

60 Morris & Essex..... 95½

GOVERNMENT STOCKS—10:15 AND 11:30 A. M.

$6,000 U. S. 5-20 C. '65, new.....110¼
2,500 do.....112
$7,000 U. S. 5-20 C. '67.....b.c. 120⅛
$9,000 U. S. 5-20 C. '67.....b.c. 120⅜
$5,000 U. S. 5-20 C. '62.....c. 112
1,000 U. S. 5-20 C. '65.....b.c. 119⅞

FIRST BOARD—10:30 A. M.

$3,000 N. Y. St. B. L. Reg.....100¾
2,000 Erie 6s. Fd A. b. c.....26
4,000 Mo. 6s, L'g. bs. b. c.....97¼
8,000 N. C. 6s, new, Reg. N.C.R.R.J.&A. 50
30,000 B., H. & E. 1st. 23
2,000 B.C.R. & M. 1st. 40
8,000 C. & N.W.C. C. G. bds.....b.c. 82
1,000 do.....b.c. 82⅜
1,000 C. & N. W. Con. 89¼
5,000 C., C. & I. 7s. 1st.....106
7,000 Peninsula 6s.... 90¼
40,000 C. & P. C. S. F. b. c.....103⅞
3,000 Erie 2d.....102
1,000 Long Dock bs. 102
1,000 H. & St. J. 8s, C. 83
3,000 Pac

# CUBAN AFFAIRS.

## SPANISH VIEW OF THE SITUATION.

TIDINGS FROM THE INSURRECTIONARY DISTRICTS—THE WANT OF TROOPS—CRITICISM ON THE GOVERNMENT—GOSSIP.

*From Our Own Correspondent.*

HAVANA, Saturday, Jan. 30, 1875.

The latest news concerning operations in the insurrectionary districts is that Col. Fortun's command, composed in part of the Barcelona and Saragossa battalions and the Camajuani volunteers, met the enemy, on the 28th inst., in considerable force, about a league from Cabaiguan, and apparently moving in the direction of Santa Clara. The official report states that the insurgents vainly endeavored to avoid the attack of the Spanish vanguard of about fifty Camajuani volunteers, who have won quite a reputation for their bravery, and who charged the insurgents *machete* in hand. At the same moment the infantry attacked, and a number of shells were thrown among them by the artillery, causing them to retreat in disorderly groups, leaving on the field six men killed whom they could not carry off. The Spanish loss is stated to be six killed and fourteen wounded, more than half of these being Camajuani volunteers. Shortly afterward the column commanded by Col. Cubas came up, and both, united, continued the pursuit. Another report states that the insurgent vanguard was overtaken and dispersed yesterday morning between Jumento and Baczo.

SUMMARY OF THE SITUATION.

In the review written to-day for the Spanish mail steamer, the *Diario* gives a summary of the situation. It is now satisfied that the invasion of the Cinco Villas district was effected by the insurgents under the command of Maximo Gomez, Pepe Gonzales, and Sanguili, and their presence shows the importance given to this movement by the insurgents. Without wishing to give very particular details, for fear of committing an indiscretion, the *Diario* states that the Spanish force now in that district is twenty-one battalions strong, and has more than 2,000 cavalry, and several batteries. This force is divided into columns of operations, which the insurgents fly from, (!) and into detachments to protect the towns and larger farms, and guard the roads leading to other districts. On the 11th, Lieut. Col. Correa attacked a group of mounted insurgents near Quemadito Ford, taking three prisoners; on the 14th, the rebels attacked a company of the Tarragona battalion at Catano Ford, on the same river Zaza, killing its Captain (Paz) and five soldiers, and wounding fourteen. The Spanish reports state, however, that they were dispersed, and "guess" that about twenty were killed and as many wounded. On the 12th, Maximo Gomez was at San Marcos, apparently awaiting an attack from Esponda's and Valera's columns, but he decamped during the night, and was next heard of at Alonso Rojas, on the 14th, with Jimenez and Sanguili. That afternoon part of their forces crossed the Zaza to attack the Tarragona company, as already stated. Since the insurgents have crossed the Trocha they have burnt a number of sugar estates, "Tuenuicu" suffering most, having lost all its cane. Brigadier Valera arrived at Rio Grande on the 22d, only to find it in flames since dawn, and at night he exchanged shots with the insurgents. On the 23d he advanced to San Marcos, where he met Col. Esponda's force, which followed up the pursuit until they arrived at Yguara. The *Diario* asserts that the pursuit of the insurgents daily becomes more active, and the most favorable results may shortly be expected; that the task of the Spanish Army is a double one—to pursue the enemy and at the same time to protect property as far as possible.

THE CENTRAL DEPARTMENT.

From the Central Department we learn that the insurgents attacked a small force under Major Esterez at Sabana Gertrudis, and caused it to fall back for refuge upon Fort No. 7 with a loss of ten men. Brigadier Salcedo, Acting Commanding General of the district, recently returned from his five days' operations, after having destroyed a number of rebel encampments, hastily abandoned on the approach of the Spanish columns. There are no reports of military operations in the Eastern Department; nothing has transpired within the zones of cultivation guarded by the Spanish soldiers on account of their vigilance and activity. The *Diario* concludes its review with the following gentle plaint:

"We greatly notice the difference between the 12,000 well-organized and well-drilled men asked for by the superior authority, and those who have already touched our shores, and we regret the lack of their aid the more because of the loss of time, which necessarily counts for much in military operations."

THE GOVERNMENT CRITICISED.

I learn this morning that a printed sheet has been privately distributed and otherwise circulated around Havana, in which the Government is bitterly attacked. The writer complains of the suffering and misery prevalent in the interior; of the want of food and raiment of the inhabitants; of the arrears of payment due the troops, and of general discontent noticeable in the want of energy in the conduct of the campaign, while in Havana thousands are squandered in useless fêtes and ball-giving. I am told that the document is written in a very able manner, and evidently by a Spaniard, and that it contains a disagreeable and bitterly true account regarding the situation of affairs in the interior and at the capital.

TOO FREE OF SPEECH.

Brig. Gen. Riguelme has received orders from the Captain General to take up his residence in any part of the island except Havana and Matanzas. This because he has been too unguarded in his expressions on current affairs, and, as Concha has shown recently by depriving Martinez Rico of the colonelcy of the Seventh Regiment, volunteers, these are proceedings the Captain General will not allow in his subordinate officers—"*Cave canem.*"

THE MURILLO.

The "Murillo" picture, the recovery of which I described in my last letter, has been for several days on public exhibition at the office of the Chief of Police, and numbers of persons have availed themselves of the opportunity to see it. It will be sent to-day to Spain in charge of Don Luis Mayans, appointed by the Spanish Legation in Washington for that purpose.

THE OPERA BOUFFE.

The Aimée Opera Bouffe arrived by the Crescent City Wednesday, and opened the season on Thursday in "La Fille de Mme. Angot," to a packed house. Mlle. Aimée, M. De Beer, and the other favorites were received with rapturous applause.

## A CLINTON-STREET FAGIN CONVICTED.

Harris Marks, an East-side Fagin, with his two sons, Louis and Jacob, were placed on trial in General Sessions yesterday, charged with larceny and receiving stolen goods. In reply to District Attorney Nolan, Ellen Barrett, a domestic in the employ of Philip Goldstein, pawn-broker, No. 167 Clinton street, stated that, on the 11th of January, the two Marks boys broke a pane of glass in Goldstein's show window, and, by means of a wire and hook, fished out two rings valued at $20. The boys were arrested by officer Johnson, and admitted that they had stolen the rings and given them to their father. It was subsequently discovered that the elder Marks, who is said to have been training up his sons as professional and expert thieves, had sold the stolen rings for $5 in Tanenhauzl's second-hand store, No. 28 Market street. The youthful thieves took the stand, and impudently denied that they had made a confession of their guilt, and the father as boldly denied that he had received or pawned the rings stolen from Goldstein. The story cooked up by the prisoners, and supported by some pretty tall swearing, was that the rings given to the elder Marks by his sons belonged to his wife, by whom they had been lost, and for the recovery of which she had offered the boys a reward of ten cents. The prisoners were all found guilty—Harris Marks of receiving stolen goods, and the boys, Louis and Jacob, of petit larceny. Recorder Hackett sent the boys to the House of Refuge, and remanded the elder Marks for sentence.

## THE BALL SMUGGLING CASE.

DEPUTY COLLECTOR DES ANGES INDICTED—HIS POSITION DECLARED VACANT—OVER A MILLION DOLLARS INVOLVED—HOW THE FRAUD WAS PERPETRATED.

Special Treasury Agent Charles N. Brackett and Deputy Surveyor George Klinck are still busily engaged in working up the case in which, according to evidence thus far introduced, Gustavus W. Ball and others were interested in the sale of about $100,000 worth of silks, alleged to have been smuggled by means of false samples, consisting of hosiery. This amount, however, it is stated, is not more than one-tenth of what was sold by Ball and his principal. Col. Robert W. Des Anges, Deputy Collector of the Port, and formerly Chief of the Special Deputy Marshals appointed under the United States Election law, is one of the persons indicted on Wednesday for alleged complicity with Ball in passing the smuggled silks. Col. Des Anges surrendered himself yesterday morning, as soon as he found that he was one of the indicted persons. He is charged with having marked cases containing hosiery to be sent to the Appraiser's Department as samples of some seven other cases containing silks. It is usual for the Deputy holding Col. Des Anges' position to designate sample cases of invoices of goods to be sent to the Appraiser's department for examination, as representing all the other cases, the examination of the sample cases being considered as an examination of all the cases, much trouble being thus saved, but, at the same time, great opportunities given for fraudulent collusion between dishonest importers and Custom-house officers. Col. Des Anges declines that he is guilty of the charges made against him, and says that he can clearly establish his innocence at the proper time. He has hitherto borne an excellent reputation, and is personally very popular on account of his amiable social qualities. There are two others besides Ball and Des Anges indicted, and one of them will probably be arrested to-day. Col. Des Anges was required to give bail in the sum of $10,000 to appear for trial, and not having time to perfect his bond last evening, was discharged on temporary security, to appear and give bail to-day.

District Attorney Bliss and yesterday that it would be much the safer way to examine all cases of goods coming to this port instead of examining them by sample, but that it would be hardly practicable on account of the large clerical force it would require, and the immense expense it would entail. The mode of selecting samples is for one of the Deputy Collectors to pick out at random one case from a lot of six or eight, and check its marks and number over the oath of the consignee on the entry, and that box is taken to the Appraiser's Department, and, on its examination being concluded, a permit is given for the removal of all the cases, if the contents of the sample cases are found to tally with the invoice. One way to secure the passing of goods subject to a high rate of duty for those subject to a lower rate, and without collusion with Customs officials, is the following: An importation will be made of, say, three cases of hosiery; two of the cases will contain silks and the other hosiery; a number of invoices representing importations of hosiery will be sent from the place of shipment to the consignee. He will take one of these invoices to a Deputy Collector and note which box is marked by the official on the entry. If it happens to be the case containing the hosiery it is all right, and that case is permitted to go to the Appraiser's Department. If one of the cases of silks is marked the consignee tries again, and continues until the "guide" case is marked, when it is immediately let go, and permit obtained, after the examination for the passing of the cases containing the silks as "hosiery." On fine hosiery the duty will only amount to about $100 per case, while on fine silks it is about $3,000 per case; so it is easy to see what a great inducement exists for false sampling.

Col. Des Anges' position as Deputy Collector of the Warehousing Department of the Custom-house was declared vacant yesterday, and an order was issued that henceforward the number of the case or parcel selected for appraisement must be written out in full on the front of the invoice and in figures on the back, and both must be checked by the Deputy Collector. Hitherto it was customary to write the number in figures only, and in case of trouble it was easy to say that the figures had been tampered with. Under the new system the fraud will appear against the culprit in his own handwriting. Col. Des Anges succeeded Postmaster James as Deputy Collector when the latter was promoted to his present position. He had previously been Mr. James' chief clerk. The fact of his arrest was guarded with much stateness in the Custom-house. Among those to whom it was known, however, it produced much consternation and not a little surprise, both on account of Col. Des Anges' previous good reputation, and that he should have been foolish enough to be entrapped into a position in which discovery was inevitable. His friends stoutly assert his innocence. They claim that he is sometimes compelled to check off at the rate of 2,000 invoices per day, A. T. Stewart alone furnishing an average of 300 a day at times, and that it was physically impossible for him to do more than satisfy himself that the oath had been taken, and that the appearance of the papers was regular.

## A CASE OF MISTAKEN IDENTITY.

In the Court of General Sessions yesterday, John Kain was charged with attempting to steal Edwin M. Bond's overcoat from the reading-room of the Fifth Avenue Hotel. Mr. Boad swore that he was pretty certain the prisoner was the man whom he arrested in the hotel and handed over to a police officer. Kain then took the stand, and, with a comical expression of countenance, declared that he had never seen Mr. Bond before, and had not attempted to steal his coat. He had been arrested, he frankly admitted, on suspicion of having stolen a watch and $19 in money from a man on Grand street. The officer to whom Mr. Bond had entrusted the coat and chief at the Fifth Avenue Hotel was then called and swore that the prisoner on trial was not the man arrested by him. The Recorder then directed the jury to render a verdict of not guilty, and at the request of District Attorney Nolan Kain was remanded for further action.

## THE ATLANTIC GALES.

The German steam-ship Schiller, which arrived at her dock at Hoboken yesterday afternoon after a long and stormy passage, sailed from Hamburg on Jan. 21, with a full cargo of merchandise and ninety passengers. She met with heavy gales and rough sea at the very outset, which lasted, with but slight intermissions, until the arrival of the vessel off Sandy Hook. Here she was detained for six hours in a heavy fog. No accident occurred during the voyage, and all on board arrived in good health. The measures taken by Capt. Thomsen for the comfort and pleasure of his passengers, and the skill and ability displayed by him in the management of the ship, have received the highest praise.

## THE KNAPP CONTESTED WILL.

The Stephen H. Knapp contested will case came on for hearing in the Surrogate's Court yesterday, and, after being opened, was adjourned to next Thursday. Mr. Knapp left his property, valued at about $20,000, to his second wife, cutting off the children by the first wife. These children contest the will on the ground that their father was unduly influenced by the second wife to cut them off. The answer is that Mr. Knapp had decided a long time ago to his first wife, which she left to her children, who charged their father rent for living in it, which so incensed him that, acting on his own volition, he cut them off for what he considered their ingratitude.

## THE PRISON ASSOCIATION.

The report of the general agent of the Prison Association of New York for the month of January, 1875, is as follows: Total number of new applicants, 140; number furnished with employment in the City, 11; sent to the country, 7; provided with temporary board and lodgings, 55; with temporary lodgings, 15; with clothing, shoes, &c., 24; with tools, 4; aided with money, 149; prisoners' families relieved, 14; sent to hospitals, 7; number of prisoners visited and advised, 312; counseled and aided, 30; cases investigated, 22; prisoners defended in courts, 6; discharged upon the recommendation of agent, 4; complaints withdrawn, 3; books, magazines, &c., distributed in prisons, 1,375; volumes added to Blackwell's Island Penitentiary Library, 802.

## A FALSE CHARGE.

Patrick Duffy, a hackman, was on Monday committed for trial, in default of bail, by Justice Flammer, at the Yorkville Police Court, on a charge of stealing a watch from Michael McGrath. Yesterday, Mr. Hughes, the keeper of a liquor-store in New street, called at the court and explained matters. On Saturday night, while in his store, Hughes took McGrath's gold watch and chain from him, McGrath being at the time so much under the influence of liquor that he was likely to fall an easy victim to any thief he might encounter. Hughes on Sunday left town, and on returning yesterday was, for the first time, informed of Duffy's arrest. Duffy is now in the Tombs.

## ST. GEORGE'S SOCIETY.

At the monthly meeting of St. George's Society the report showed that 170 persons had been relieved by cash donations, amounting to $423 84, 226 meals, and 62 lodging tickets during the month of January. A communication was received from Mr. John Dooley in reference to English applicants for relief, which received the indorsement of the committee, and was referred to the Chairman, with power.

# LOCAL MISCELLANY.

## THE CHAMBER OF COMMERCE.

COMMITTEE APPOINTED TO URGE THE PASSAGE OF THE ARBITRATION ACT—THANKS TO FERNANDO WOOD—THE HARBOR AS A REFUSE RESERVOIR—LEGISLATION WANTED UPON THE CANALS.

The regular monthly meeting of the Chamber of Commerce was held yesterday afternoon. Mr. Solon Humphreys, Chairman of the Executive Committee, reported the following nominations for membership: Myron H. Chapin, Charles P. Cooper, William H. Davis, Jacob W. Decastro, Frederick W. Devoe, William A. Gellatly, Moses G. Hanauer, Frank W. Hartt, Richard A. McCurdy, Charles Mayer, Simon Mayer, J. Seaver Page, Henry L. Pierson, Jr., and Albert S. Roe, all of whom were elected. Mr. Humphreys also reported the following resolution:

*Resolved*, That Messrs. William E. Dodge, Elliott F. Shepard, Jackson S. Schultz, Elliot C. Cowdin, Royal Phelps, Abram S. Hewitt, Samuel D. Babcock, Joseph Seligman, A. A. Low, James M. Brown, Henry F. Spaulding, and Gustav Schwab, be, and are hereby appointed a committee to proceed to Albany on behalf of the commercial interests of the City, and attend before the Judiciary Committees of the Senate and Assembly for the purpose of explaining to them the principal features of the proposed amendments to the Arbitration act, and to urge upon the committees the importance of their early passage by the legislature.

Adopted.

Mr. Jackson S. Schultz then offered the following, both of which were adopted:

*Resolved*, That the thanks of this Chamber are due and are hereby tendered to Hon. Fernando Wood for his able and exhaustive statement of the unauthorized changes made in the tariff, under the guise of codifying the laws pertaining to the collection of the revenue.

*Resolved*, That this Chamber will gladly co-operate with Congress in any effort which it will make to codify and simplify the regulations under which our revenue is collected.

Mr. Snow offered the following:

*Whereas*, A resolution was adopted by this chamber, requesting the President to confer with the Mayor in relation the damage being done to the harbor by the indiscriminate throwing of refuse materials into it; therefore

*Resolved*, That the President be requested to take action in compliance with said resolution at as early a date as possible.

Adopted.

*Whereas*, A bill prohibiting, under severe penalties, the throwing of ashes from steamboats into the harbor, has passed the Senate of this State by a vote of 20 to 11; therefore

*Resolved*, That this chamber requests the members of the Assembly to take up the said bill and enact it into a law of the State as soon as possible.

Referred to the Executive Committee, to draft a memorial to the Legislature.

*Whereas*, In the appropriation bill now before Congress, the sum of $50,000 has been asked for by Gen. Newton that he may promptly finish the work of improvement now going on under his charge in the harbor of New-York.

*Resolved*, That we respectfully ask the members of Congress from this State to urge the passage of said appropriation, as being necessary and due to the well-being and importance of the port of New-York.

Referred to Messrs. Schultz, Snow, and the President, to prepare a memorial to Congress.

Mr. Samuel B. Ruggles, Chairman of the Committee on "Railway and Canal Legislation," reported to the chamber a condensed statement of the legislation of the State, and of the official action of its canal authorities during the last sixteen years in respect to the depth of water in the Erie Canal. Ordered to be printed.

The following resolutions, adopted at the meeting of the Committee on Commercial Facilities, Jan. 27, were then presented:

*Resolved*, That we deem it of vital necessity to the commerce of the City and State of New-York and the interior States that the trunk canals should be bottomed out without delay to the depth of seven feet, as prescribed by law and recommended by the Governor in his annual message, and that the survey therein proposed to ascertain the cost of the work should be made with the least possible delay.

*Resolved*, That any further questions of the enlargement of the several lines of the canals may be safely postponed until they shall be deepened as now proposed.

*Resolved*, That we approve of the recommendation of the Governor that a commission should be appointed to examine the various routes, and report on a disposition of those which are not necessary to the welfare of the main canals, and that we deem every action to that end of great importance.

*Resolved*, That every effort should be made to secure by law or constitutional amendment an honest, economical, and efficient management of the canals.

*Resolved*, That copies of these resolutions be sent to the commissioners represented in this conference, and that each of them be requested to memorialize the Legislature to the same effect.

Ordered sent to the Governor. After the transaction of routine business the chamber adjourned.

## RESIGNATION OF CHAMBERLAIN LANE.

CORRESPONDENCE WITH MAYOR WICKHAM—A NEW APPOINTMENT TO BE MADE TO-DAY.

Mr. George W. Lane tendered his resignation of the office of Chamberlain in the following communication to Mayor Wickham yesterday:

OFFICE OF THE CITY CHAMBERLAIN, NEW-YORK, Feb. 3, 1875.

*Mr. William H. Wickham, Mayor of the City of New-York:*

DEAR SIR: When the late Mayor, Hon. William F. Havemeyer, appointed me City Chamberlain it was with great reluctance that I consented to accept the office. During the past Summer I tendered to him my resignation, which he declined. Circumstances of a purely private and personal character induce me now to ask that you accept my resignation as City Chamberlain, hereby tendered, and relieve me from the duties and responsibilities of the office. In doing so, permit me to express my thanks to you, and through you, to the officers and employes of the several departments for their uniform courtesy and kindness extended to me.

I remain, very respectfully, your obedient servant,

GEORGE W. LANE.

To this communication the Mayor sent the following reply:

EXECUTIVE DEPARTMENT, MAYOR'S OFFICE, NEW-YORK, Feb. 4, 1875.

*Hon. George W. Lane:*

DEAR SIR: I have your letter of yesterday tendering your resignation as City Chamberlain.

It is with regret that I have received this communication from you, and with reluctance overcome only by deference to your own positive unwillingness to reconsider the step. But I cannot assent to your withdrawal from the office. Through many years of friendship for you, and of a regard every day greater for the sterling qualities of your character as a citizen, and in all matters of business, I have learned to appreciate the singular fitness of your original selection for the responsible office you have filled with such satisfaction to the community, and the advantage it would have been to my own administration to continue you as Chamberlain during my entire term as Mayor.

With my acknowledgments for the kind expressions of your letter, and thanks for the consideration you have shown me in all our official relations, I am, my dear Sir, with the best wishes for your welfare, very respectfully, W. H. WICKHAM, Mayor.

It is probable that the Mayor will appoint a successor to Mr. Lane to-day. The whole amount allowed for the office of Chamberlain is $30,000 a year—and the incumbent has to pay his subordinates out of that sum. Mr. Arthur Leary is named as one of the candidates for the position.

## NO CHARGES AGAINST DOCK COMMISSIONERS.

MAYOR WICKHAM DENIES THE RUMORS REGARDING MESSRS. WESTERVELT AND BUDD—THE REPORT OF THE COMMISSIONERS OF ACCOUNTS BEING EXAMINED—THE COMMISSIONER OF PUBLIC WORKS.

A report was published yesterday that written charges of mismanagement of the affairs of the Dock Department had been preferred against Commissioners Jacob A. Westervelt and William Budd by Mayor Wickham, and that the accused were expected to make a satisfactory reply to them on Wednesday last. Mr. Westervelt said yesterday that neither he nor Mr. Budd had as yet received any intimation of such charges. The Mayor, he said, had informed him and Mr. Budd on Wednesday of last week that he had received a report of the affairs of the department from the Commissioners of Accounts, which he had not thoroughly examined. He gave them a copy of the report to enable them to reply to certain statements made, and allowed them as much time as they required for the work. The Commissioners of Accounts find fault with the department for purchasing $100,000 worth of piles at a time when they are not needed, and putting the City to expense for their storage as well as for the loss of the interest on the money. Commissioner Westervelt said that impediments unforeseen when the piles were purchased prevented the department from using them. There were other complaints about the purchase of cement in the report referred to, but Commissioner Westervelt believed that the Mayor would be satisfied with the reply to it. He stated also that he had never made any effort to induce Mayor Wickham to retain him in office, and that he would not accept an appointment in any other department but that of the Docks under any consideration.

Mayor Wickham, in conversation with a TIMES reporter, fully corroborated the statements made concerning himself by Mr. Westervelt, and said that he had preferred no charges against the two Commissioners.

Mayor Wickham stated that the report circulated yesterday that he had received the written resignation of Mr. Van Nort, Commissioner of Public Works, was also untrue.

## WORK OF THE BIBLE SOCIETY.

A stated meeting of the Board of Managers of the American Bible Society was held yesterday afternoon at the Bible House. Mr. Norman White, Vice President, in the chair, assisted by Messrs. F. S. Winston, F. H. Walcott, Charles Tracy, and A. Robinson Walsh. Resolutions were adopted in commemoration of the late William H. Aspinwall, who was one of the Board of Managers. The foreign correspondence of the past month included encouraging letters from the society's agents in Turkey and South America—one from Dr. W. G. Schauffler, of Brüsa, and one from Rev. R. B. Girdlestone, of London, respecting the Arabo-Turkish Scriptures. Resolutions were adopted, granting liberal supplies of Scriptures to the Bible Society of Virginia, to the Indian missionaries in the Indian Territory and the North-west, to railroad companies for use of passengers and employes, and copies in raised type to blind persons. Many auxiliaries of the society were also donated liberal grants. The entire value of the volumes granted is $3,488. The total receipts for January were $60,284 42; number of volumes issued, 49,014.

## BOARD OF ALDERMEN.

REMOVAL OF ICE AND SNOW FROM THE STREETS AND SIDEWALKS — RESOLUTIONS ABOUT CLAIMS AGAINST THE CITY—VETOES OF THE MAYOR.

The Board of Aldermen transacted a large amount of business yesterday. Previous to the session it was agreed to present resolutions calling for an investigation of the management of the Finance Department by the Controller, and to refer the matter to a committee. President Lewis occupied the chair. After the roll was called, Alderman Billings submitted a petition from the Union Ferry Company for an additional slip at Whitehall Ferry. The company now hold all their ferry property at a rental of $1 a year. The petition was referred to the Committee on Ferries. A petition was also received from the Seventy-first Regiment asking for an armory, and was laid over.

The Chairman announced that he had received a communication from an organization with the title of the "Social Democratic Union Benevolent Working Men's Association," [laughter,] but he remarked that it was not signed. The members desired employment, but no action was taken in the matter.

Alderman McCarthy called attention to Senator Moore's bill on the subject of rapid transit, and he submitted a resolution, which was adopted, referring it to the Special Committee of the board appointed to hear the views of citizens on the question.

Alderman Blessing moved that Commissioner Van Nort be requested to report the names of all streets, avenues, and places in which more than double railroad tracks are laid. The motion was adopted.

Alderman Seery offered a series of resolutions requesting the Mayor to ascertain the cost of removing snow and ice for the last five years, and to obtain answers from the Police Commissioners to the following questions: 1. The cost of removing snow and ice in each year since 1870. 2. The extent of snow removed. 3. The number of men and carts employed; and also such other information as might be deemed necessary. The resolution were adopted.

Alderman Guntzer called up his resolution requesting the Police Board to enforce the ordinance requiring persons to remove snow and ice from the sidewalks opposite their premises within four hours after it has fallen. The resolution was approved.

Alderman Strack then offered an ordinance requiring the railroad companies to apply for permits to use snow-plows, and to remove all snow thrown up by such plows. The penalty for a violation of the ordinance is $100. It was laid over.

Alderman Gross, apparently determined not to be outdone on the snow question, thought it assumed a legal aspect. He moved that the Corporation Counsel be requested to inform the board whether the provisions in the charter of 1873 relative to street-cleaning were not in conflict with each other, and particularly in reference to the sections placing the street-cleaning in charge of the Police Department, and also of the Board of Aldermen. This was passed.

Alderman Reilly submitted several preambles and resolutions, reciting that it has been "publicly alleged" that Controller Green has resisted the payment of legal claims against the City; that it has been publicly alleged that he employed favorite lawyers to object legislation and resist legal claims; that he diverted certain sums set apart for special purposes to other purposes without authority; that it has been publicly alleged that he maliciously delayed the payment of salaries and wages of public officials and servants; that he has depreciated the credit of the City. He moved that the Committee on Law be directed to investigate these several matters, with power to send for persons and papers.

Alderman Billings moved that the resolutions be sent to the Committee on Finance, but this amendment failed to pass, and they were referred to the Committee on Law, of which Mr. Purroy is Chairman.

Communications were received from the Mayor vetoing the resolutions for paving and regulating Fifty-third street from Seventh avenue to Broadway; One Hundred and First street, between Third avenue and Harlem River; One Hundredth street, between Third avenue and Harlem River; Ninety-ninth street, between Third avenue and Harlem River; One Hundred and Third street, between Third avenue and Harlem River; One Hundred and Second street, between Second avenue and Harlem River. The objections in the vetoes were mainly that previous ordinances for the works had been passed. The Mayor also sent in a communication vetoing the ordinance for opening Seventy-third street for the same reasons. All these vetoes were laid over. Some unimportant business was then transacted, after which the board adjourned.

## THE PRODUCE EXCHANGE.

NEW LIGHTERAGE RULES ADOPTED BY THE BOARD OF MANAGERS.

The regular meeting of the Board of Managers of the Produce Exchange was held yesterday morning, President Edson in the chair. Mr. L. F. Holman, Chairman of the Committee on Trade, reported the following rules for the government of lighterage among members of the Exchange:

RULE 1. At the first meeting of the Board of Managers after their election, the President shall (subject to the approval or the board) appoint as a Committee on Lighterage five members of the New-York Produce Exchange. It shall be the duty of this committee to properly discharge the obligations imposed upon them by these rules, and also to consider and decide all disputes arising between members of the Produce Exchange with reference to lighterage, demurrage, towing, &c., which may be referred to them. A majority of the committee shall constitute a quorum, and a decision of the majority of those present at any meeting shall be final. They shall keep a record of their proceedings, and a fee of $15 shall be paid to the committee for each reference case heard by them, to be paid by the party adjudged to be in fault, unless otherwise ordered by the committee: Provided, however, that nothing herein shall prevent settlement of questions of differences by private arbitration or as provided for in the by-laws.

RULE 2. On parcels or merchandise of 150 tons and over, on any one lighter or barge, the day on which notice is given that the lighter or barge is ready to deliver, (provided said notice shall be given before 12:30 P. M.,) and the two following working days, (ending at 6 o'clock P. M. on the last day,) without regard to weather, shall be deemed lay-days without charge. Parcels of merchandise under 150 tons shall be allowed one day less.

RULE 3. Demurrage at the rate of $15 per day may be charged on parcels of merchandise of fifty tons and under, on any one lighter or barge, $20 per day on parcels of over fifty tons and not exceeding 100 tons, and $25 per day on parcels of over 100 tons.

RULE 4. All extra towing incurred by order of merchants or employers in making a change in destination, or in making more than one delivery, shall be at the expense of the party so ordering.

RULE 5. In all cases where demurrage is being incurred it shall be the duty of the lighterman to give the employer notice by furnishing him with the bill of demurrage not later than 12 o'clock M. on each day, in order that the employer, in his turn, may have an early opportunity of claiming from the ship's agent or others who may be liable to him in the matter, and in case of the neglect of this duty by the lighterman whereby the employer shall have lost his claim for demurrage, then the amount of demurrage so lost shall be borne by the lighterman.

RULE 6. The foregoing rules shall not be considered as applying in any manner to grain in bulk or merchandise lightered in canal boats.

RULE 7. Nothing herein shall be construed as interfering in any way with the right of members to make any special contracts or conditions they may wish.

The rules were adopted and ordered to be posted for ten days. Mr. James McGee's resignation from the Petroleum Committee was accepted, and Mr. William J. Ives was appointed to fill his place. The following were appointed the Complaint Committee for February: William H. Phillips, J. H. Herrick, and L. Hazeltine. The following were appointed for membership: N. L. Arms, F. W. Armstrong, W. F. Brown, Thomas Denby, Maximilian Fleischman, N. W. Harkness, A. L. Holman, Richard S. C. Lewin, E. A. O'Brien, G. H. Page, Malcom Ramsay, Russell Stebbins, Jr., and John Whitman, Jr.

## CITY HALL NOTES.

A deputation of working men called upon Mayor Wickham yesterday, for the purpose of procuring employment. The Mayor said he had none to give, but would endeavor to help the laborers as far as lay in his official power.

Fire Commissioner Hatch had an interview with Mayor Wickham yesterday. The Mayor has not yet taken action upon the charges preferred against his department.

Mayor Stokley, of Philadelphia, accompanied by Col. Charles W. Brooke, of this City, paid his respects to the Mayor yesterday.

The funeral of Mr. Charles Sutton, the Keeper of the City Hall, was attended yesterday by a large circle of friends and relatives. It is said that his office will be abolished, and that the Police of the Twenty-sixth Precinct will be placed in charge of the building.

## THE LOAN AND INDEMNITY COMPANY.

The New-York Loan and Indemnity Company began business in this City in January, 1873, under a State charter, with an authorized capital of $1,000,000, of which $636,000 was paid in. Its business transactions were carried on under a charter general in its character, and embraced the receiving of deposits and trusts of all kinds, making loans on real and personal property and on stocks and bonds, and discounting commercial paper. Owing to unfortunate transactions, in which a large amount of its capital became involved it was decided in the latter part of last year by the Directors that it would be inexpedient to continue the business. Measures were then taken to close up the affairs of the company, and the payment of deposits was begun. The liabilities of the concern will not now amount to $50,000, which sum the company is amply able to meet. Out of the assets, which will amount to about $1,000,000, the stockholders will be paid, and from present appearances will get about seventy per cent. of their original investment. The checks of the company will no longer be received at the Clearing-house for collection after to-morrow, and it is supposed that by the end of the present month the business of the company will be wholly closed.

## AMENDMENTS TO THE EXCHANGE RULES LOST.

At 3 o'clock yesterday, when the hour for voting closed, 713 votes had been cast by members of the Stock Exchange against the last amendments to the commission rules adopted at the last meeting of the Governing Committee, and published in full in THE TIMES. The number of votes required to kill the amendments was 662, or two-thirds of the members of the Exchange. Consequently the new rates, adopted by the Governing Committee on Jan. 13, and which went into effect on the 1st inst., continue in force. The two-rate petition, offered for the action of the committee, has already received 501 signatures. It will come before the committee at the next meeting. It fixes the rate at 1-32 from one broker to another; at 1-16 if the shares are not delivered, and at 1/8 to outsiders.

## A MUSICAL SWINDLER.

Officer Dakin, of the Jefferson Market Police Court, succeeded yesterday, after a long search, in arresting William Horwitz, alias William A. Hoyt, Jr., on a warrant issued by Justice Flammer, charging him with swindling. The complaint is made by Sheldon X. Ball, of No. 15 East Fourteenth street, a dealer in organs. It is alleged that the prisoner has been for several months in the habit of hiring melodeons, parlor organs, and pianos, and, after having them removed to his residence, either selling them or raising money on them from keepers of loan offices. Numerous complaints have been made from time to time against him; but the search for his whereabouts did not meet with success until yesterday, when Officer Dakin arrested him at No. 531 West Fifty-second street. He was arraigned at court and remanded for examination until to-day, when a number of complaints will be entered against him.

## A SENSATIONAL CUSTOMER.

On Wednesday night, between 10 and 11 o'clock, John McArthur entered the porter-house of John Hadeson, No. 125 Canal street, almost crazy from drink. There were several persons eating in the saloon at the time, but they beat a hasty retreat, for McArthur drew a large navy revolver and threatened to blow out their brains if they tarried a moment. He then paid his attentions to the proprietor, and, placing the revolver about an inch from his face, informed him that if he moved his head an inch he would find himself in the other world. Just as Mr. Hadeson was making up his mind to visit other worlds, Officer Smock, of the Tenth Precinct, entered and disarmed McArthur. At Essex Market Police Court, yesterday, Justice Murray held him in $1,000 bail for trial.

## ROBBERY OF SILKS.

Between 5 and 6 o'clock on Wednesday evening the store of S. Sommerick & Co., No. 494 Broadway, was entered by burglars and robbed of several pieces of silk, valued at $400. The store had been closed for the night, but the occupants of the upper floors had not left, and the hall-door was still open. The burglars entered the hallway and forced open a small side-door leading into the store. The robbery was discovered soon after it had been accomplished, but no clue to the thieves or the missing property has been obtained.

## A LONG MULE-BACK RIDE.

Mr. George Harris, formerly of the town of Locke, Cayuga County, this State, has had a 4,000 miles' ride on a mule during the past twelve or fourteen months. He writes to a friend that, starting from Pueblo, in Colorado, he went across New-Mexico to El Paso and 200 miles further down into old Mexico, then across into Texas and traveled over the country west of the Staked Plains, thence back across the southern part of New-Mexico to Silver City, thence west to Tucson, Arizona, then striking the Gila River and down to Fort Yuma on the Colorado River near the southeast corner of California, thence to San Diego, on the Pacific Ocean, thence back to the Colorado River, and up along that river to the south line of Utah and in Brigham's dominions, sixty miles south of Salt Lake City to a place called Jacob's City. At Silver City he fell in with a man by the name of Lush or Lusk, from Wayne County, N. Y., who seems to have shared with him the remainder of that perilous journey. Harris speaks of the country no the Colorado as the most difficult to travel over of any he had seen.

## FISH IN ICE.

Some years ago a Troy saloon-keeper attracted attention by exhibiting trout embedded in the centre of huge blocks of ice. The bright colors of the beautiful fish, and their appearance of being caught by Jack Frost, rendered the exhibition a singular and unique one. But he told how it was done after a few Winters' mystification of the citizens. He bored holes in the ice, put in the fish, filled the holes with water, and let it freeze.

# THE REAL ESTATE MARKET.

The following business was transacted at the Exchange yesterday, Thursday, Feb. 4.

Richard V. Harnett, by order of the Supreme Court, in partition, John Pyne, Esq., Referee, sold the three three-story and basement brick houses, with lots each 20 by 31, Nos. 191, 193, and 195 East Houston street, south side, 40 feet east of Orchard street; No. 191 for $7,500, No. 193 for $7,850, and No. 195 for $8,250. The entire property was purchased by S. & I. Schneurer.

William Kennelly, by order of the Supreme Court, in foreclosure, R. F. Farrell, Esq., Referee, disposed of a four-story brick tenement-house, with lot 28 by about 56, on West Fifty-fourth street, south side, 423 feet east of Tenth avenue, for $12,800, the buyer being Ellis K. Powers, second mortgagee.

E. A. Lawrence & Co., under a court decree similar to the above, E. D. Gale, Esq., Referee, sold a three-story and basement brick house, with lot 16.8 by 100.5, on West Forty-third street, south side, 216.8 feet west of Tenth avenue, to Mrs. Ann R. Mears, plaintiff in the foreclosure suit. This sale was a nominal one, for the property is mortgaged for nearly $7,000.

The remaining legal auctions of the day noticed were adjourned as follows: Sale by A. J. Bleecker, Son & White of a house and lot on West Forty-ninth street, to 15th inst.; sale by Joseph McGuire of a house and lot on East Twenty-third street, east of First avenue, to the 18th inst., and sale by Messrs. Lawrence & Co. of a house and lot on West Thirty-fourth street, east of Tenth avenue, to the same date. The sale by E. H. Muller & Son of a house and lot on West Sixteenth street, west of Eighth avenue, did not take place, the property being withdrawn.

J. M. Gibson reports having sold at auction in Jersey City, on Wednesday, the four brick houses and lots, Nos. 210, 212, 214, and 216 Varick street, south-east corner of Railroad avenue, for $27,000 in the total.

*To-day's Auctions.*

To-day's sales at the Exchange are as follows: By Joseph McGuire, Supreme Court partition sale, Alexander F. Kirchurs, Esq., Referee, of the four-story brick tenement-house, with lot 25 by 100, No. 313 East Twenty-ninth street, north side, 175 feet east of Second avenue; also, three lots, each 25 by 102.2, on East Seventy-fourth street, south side, 100 feet east of Second avenue, and one lot, 25.8 by 98, on Avenue A, south-east corner of Eighty-second street.

By